

**Property Rights in the Context of Urban Decline: Informality,
Temporality, and Inequality**

**by
Claire S. W. Herbert**

A dissertation submitted in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy
(Sociology)
in the University of Michigan
2016

Doctoral Committee:

Associate Professor Sandra R. Levitsky, Chair
Associate Professor David J. Harding, University of California Berkeley
Emeritus Professor Howard A. Kimeldorf
Professor Martin J. Murray

ACKNOWLEDGEMENTS

This dissertation project has been aided by the support, advice, and help of many people. My first solid piece of graduate school advice came from Martin Murray. While visiting the program at his old university, he got up and closed his office door and said, “If you got accepted to the University of Michigan, go there!” How fortuitous that my second year of graduate school he came to work at UM. David Harding and Jeff Morenoff hired me to work on their Michigan Prisoner Reentry project my first year, which not only bolstered my quantitative literacy, but solidified my interest in problems related to housing and inequality. Martin, Dave and Jeff provided opportunities for me to “learn on the job” working on research projects with them and co-publishing. My graduate trajectory took a sharp turn for the best during my fourth year when I took Howard Kimeldorf’s research methods course and Sandra Levitsky agreed to be my dissertation chair. Learning Howard’s famous puzzle-approach to formulating a research project jump-started my dissertation prospectus, which I managed to defend the day I was due to give birth to my daughter. Sandy’s support as my chair was the best anyone could ask for in graduate school – from reading drafts, to writing letters of rec, to attending my conference presentations, to sitting through awkward first attempts at a job talk, and reminding me not to be so painfully inductive. I’ve been extremely privileged to work with such wonderfully supportive and dedicated faculty members at UM.

I am thankful for the administrative staff in the sociology department at UM. The many people who have worked here during my time in graduate school to keep our department running have saved me from so many blunders, answered so many questions, and helped me navigate the institution over the years. I am grateful for their patience with me when I asked the same question twice, forgot who is in charge of what, or forgot a deadline because I was up late writing the night before.

My family back on the West Coast has put up with me moving further and further away from them, being so busy for eight years that I often spent vacations typing away at my parents' dining room table, and pestering them with weird questions about what the right to property means to them. I'm thankful for my dad patiently listening over coffee while I explain what neoliberalism means, for my brother always asking the right questions that helped me get to those ah ha! moments, and for my mom for managing to still mother me through facetime and the phone from two thousand miles away. I'm grateful for so many other graduate students at UM, especially my cohort and my prelim study group. I'm particularly grateful for the six-month long three-way text conversation with Danielle Czarnecki and Meagan Elliott who monitored my sanity and kept me smiling through the end-run, and for Denise Bailey, my grad-school mama-friend who first showed me how wrap my daughter in a sling so she could come with me to teach.

I'm grateful to my partner and best friend Michael for over a decade of late night discussions, for bringing home huge pieces of paper and drawing conceptual maps with me out in the garage, for proofreading despite my stubbornness, and for always reminding me why we do what we do and to not mistake the good. I am grateful for his dedication to our daughter and our three dogs while I sequestered myself in the office for six months to

finish this project in time for us to move. I am ever thankful for my daughter, Mneme, for always being a respite from my work and for patiently waiting while Mama had to work on her “disserpation”.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS	ii
LIST OF TABLES	viii
ABSTRACT	ix
Chapter 1: Introduction: The Decline of Detroit, the Rise of Informality, and the Future of Urban (In)Equality	1
Private Property in Theory	3
Private Property as Regulation and Ideology	6
Urban Growth.....	9
Urban Decline.....	13
Shrinkage or Decline? A Note About Terminology	17
Informal, Illegal, and Illicit Property Use	20
Property in Everyday Life	22
Policy and Planning for Decline	25
Outline of the Dissertation.....	28
Methods.....	31
Data.....	35
Analysis	37
Chapter 2: Property and Urban Decline.....	39
Property Relations	39
Vacancy and Neighborhood Abandonment.....	41
The (Lack of) Property Market.....	43
Overburdened and Underfunded City Authorities	44
---- Poor Record Keeping	44
---- Sub-Standard Title Transfers.....	45
---- Property Inheritance.....	46
---- Small Tax Base; High Tax Rates.....	46
Diminished Property Law Enforcement.....	47
---- Why Authorities Cannot Always Enforce the Law	48
---- Why Authorities Do Not Always Want to Enforce the Law	50
Property Relations in Detroit	52
Chapter 3: Grassroots Property Regulation	55
Property and Neighborhood Stability	56
Property and Urban Decline	58
Illegal Property Use: from Illicit to Informal	58
Inverting the Ownership-Care Nexus	60
---- Harmful Homeowners	60
---- Grounded in Care: Justified Property Appropriation.....	62

The Ethos of Care: Assessing Property “Rights” via Neighborhood Impact	63
---- Non-Legal Occupation	65
---- Non-Legal Deconstruction.....	68
---- Unacceptable Property Appropriation.....	71
---- Alternative Perspectives	73
Conclusion	74
Chapter 4: Informal Property Claims for Alternative Use-Values: Lifestyle and Necessity Appropriation	77
Lifestyle Appropriation and Necessity Appropriation.....	78
Theory.....	81
---- Use-Value, Exchange-Value	81
---- Urban Informality.....	82
---- Informal Property Claims	83
Appropriators: Who Are They?	85
---- Necessity Appropriators	85
---- Lifestyle Appropriators.....	86
Why Do They appropriate Property?	90
---- Necessity Appropriators’ Motivations	90
---- Lifestyle Appropriators’ Motivations.....	98
How is Appropriation Carried Out?	102
---- Conditions of Necessity Appropriation.....	103
---- Conditions of Lifestyle Appropriation.....	107
How do Appropriators Justify Breaking the Law?	111
---- Necessity Appropriators’ Justifications	112
---- Lifestyle Appropriators’ Justifications	116
Discussion.....	119
Conclusion	120
Chapter 5: The Temporality of Property Relations in Everyday Life.....	121
Law in Everyday Life	121
Property Definitions and the Law	123
Sociology of Time	125
Framework for Studying the Temporal Dimension of Property.....	127
Property Deconstruction.....	131
---- Scrapping (Necessity Appropriation).....	131
---- Salvaging (Lifestyle Appropriation).....	132
Property Occupation.....	132
---- Squatting (Necessity Appropriation).....	132
---- Homesteading (Lifestyle Appropriation).....	133
Temporality of Lifestyle Appropriation: Deliberate and Distanced.....	134
Temporality of Necessity Appropriation: Urgent and Immediate	138
Discussion.....	142
Conclusion	143
Chapter 6: Regulating Informality, Reproducing Inequality	145
Theory.....	147
---- Property and Inequality.....	147
---- Formalizing Informality.....	147
Plans, Recommendations, and Laws.....	151

---- Blight Removal Task Force.....	151
---- Detroit Land Bank Authority	152
Detroit's New Regulatory Schema	154
1. New Scrapping Law.....	155
2. Salvaging Detroit	157
3. New Squatting Law.....	158
4. Defining Blight and Redefining Occupancy.....	161
5. Property Auctions	164
6. Growing Detroit	167
Discussion.....	170
Conclusion	172
Chapter 7: Conclusion	176
How Urban Decline Impacts Property Relations.....	177
What Non-Legal Factors Influence Property Relations and Property Outcomes?	178
How Urban Decline and Non-Legal Dimensions of Property Interact.....	180
The Promises and Pitfalls of Property in Declining Cities	181
Bibliography.....	187

LIST OF TABLES

Table 1: Comparison between Detroit and Portland.....	19
Table 2: Interview Categories Count	32
Table 3: Definition of Illegal Property Appropriation in Detroit.....	35
Table 4: Forms of Appropriation Count.....	37
Table 5: Property Appropriation Terminology.....	80
Table 6: Necessity Appropriators	86
Table 7: Lifestyle Appropriators	87

ABSTRACT

This dissertation studies a feature of social life that is of concern for sociologists, urbanists, and legal scholars: private property. In urban centers, real property mediates residents' relationships to the space of the city and therefore also relations with each other. Private ownership is the dominant form of property regulation in the urban context, fueled in part by the pervasive narrative that the economic incentives of private ownership will ensure maximum care for property and thereby provide a social good. But the context of urban decline calls into question the dominant ideological underpinnings of private property, the generalizability of observed property outcomes, and purports to alter individuals' relations to property and the way property mediates social life. Drawing on over four years of participant observation and sixty-five interviews, this dissertation analyzes property relations in the context of urban decline by studying the illegal appropriation of property in Detroit, Michigan via practices such as squatting, scrapping, gardening and demolition, and resident and authority responses to these practices. Detroit is regarded as the pinnacle of U.S. urban decline and is a particularly revealing case in which to examine property relations because of the scale and severity of its conditions. This dissertation finds that in a context that lacks reliable legal enforcement of property rights and a functioning market for property, non-legal or "everyday" factors rise in significance for constituting individual relationships to property and uncovers the informal property dynamics that shape urban life. The significance of these findings is twofold. First, these non-legal factors likely impact property relations in other settings and may help explain outcomes that are correlated

with legal property ownership. Second, these findings are crucial for forecasting the impact of revitalization strategies in declining cities. Enforcing legal property regulation in spaces dominated by informal dynamics disproportionately impacts existing residents according to the everyday characteristics of their practices. This conflicting dynamic between formal and informal property relations is a mechanism for reproducing urban inequality unique to declining cities.

Chapter 1

Introduction: The Decline of Detroit, the Rise of Informality, and the Future of Urban (In)Equality

Contemporary Detroit has been likened to the lawless, wild, wild west, with its vast swaths of open space, deserted overgrown blocks that feel like country roads, an overburdened municipality that struggles to enforce the law, and where illegal practices are commonplace. It is also portrayed as a place of tragic history and future uncertainty. Media stories frame present-day Detroit as a place like no other, where neighbors invite squatters onto their block¹ and where fields of hay grow in the middle of the city (Herscher 2012). At the same time, to suburban residents, outsiders, and even some newcomers to the city, Detroit is a scary place of unbridled violence, overwhelmingly populated with poor, black, criminal bodies who would dare to scrap a house while the owners are away for the weekend. Many of these stories about Detroit involve the de jure illegal use of private property, prevalent in a city with over 20 square miles of vacant land (Detroit

¹ Joel Kurth, "Detroit Neighborhood Plea: we want squatters. The Detroit News. September 17, 2015. <<http://www.detroitnews.com/story/news/local/detroit-city/2015/09/17/detroit-neighborhood-plea-want-squatters/32558019/>> Accessed 6/2/16.

Future City 2013:11; Orr 2013:88) and over 78 thousand abandoned houses and buildings (Detroit Blight Removal Task Force 2014).²

The process of urban depopulation increases the amount of interstitial social space where illegal activities can take place. Simultaneously, strained municipal budgets compromise service provision and diminish authority oversight. Do-it-yourself tactics for improving urban life and illegal methods for survival are prevalent in this context. More stable residents mow vacant city lots or tear down vacant structures on their block, while homeless residents illegally occupy abandoned houses for shelter. The local context also influences the meaning of law in everyday life, and the understanding and practice of legality by residents (Mezey 2001). Thus the “life of the law” – the way residents experience and understand the law as they choose to invoke, avoid, or resist it (Ewick and Silbey 1992, 737) – is presumably different under conditions of urban decline than in other settings; and other structural features, normative frameworks, and everyday practices increase in significance relative to the law.

This project studies the illegal use of private property — practices like squatting, farming, and scrapping — in the city of Detroit in order to answer two main questions: “How do the conditions of urban decline impact property relations?” and, “What everyday factors influence outcomes typically associated with property rights and legal property ownership?” The case of Detroit is apt for investigating both questions, insofar as it is an archetypal case of U.S. urban decline, and the conditions therein create a natural

² This count refers to built structures “needing intervention” that fit the definition of blight according to Michigan law (Detroit Blight Removal Task Force 2014, 13). This number would be higher if it included all vacant properties.

experiment-like setting wherein the law's influence for property relations is decreased, making the everyday practices of property more accessible. To answer these questions, this project explores the conditions of decline that impact property relations; how illegal property access is adjudicated informally; the meaning and function of property for different social groups; the non-legal or everyday factors that increase in significance property relations, and how authorities respond to widespread illegal property use. The findings in this dissertation contribute to recent interest in the dynamics of social life in the context of urban decline, and to sociological understandings of property in everyday life.

Private Property in Theory

The right to own property is a cornerstone of the United States' legal and cultural history. Private property is supported by a raft of legal, moral, philosophical, and economic justifications. The supremacy of private property in the U.S. is ideologically taken-for-granted, institutionally reinforced via the legal system, and has played a foundational role in our nation's economic development and social relationships, and remains an integral part of liberal discourse. The notion that property can and should be privately owned, and that doing so is fundamental to individual freedom and social progress, is a hegemonic narrative rooted in the work of thinkers such as Aristotle, Locke, Hegel, Thomas Jefferson, and John Stuart Mill (Carter 1989).

Seemingly uncontested is the notion that who controls, uses, benefits from, and is responsible for property should be the person who owns it or has a legal right bestowed by the owner to do so. From the legal standpoint, property is a bundle of rights held by the owner of property. With regard to real property (land, housing, buildings), this bundle of

rights adjudicates relations between people and spaces, and therefore people with each other (as all social action must take place somewhere). Property rights give power to owners, who can dictate use, allocation, and control over a given space and its resources, and exclude others from it. The way that we relate to property is through the lens of ownership, and very seldom is this kind of social relationship to property called into question. This nexus of property laws and morality means that acts which violate the laws upholding private property – be they vandalism, trespassing, arson, or squatting – are perceived as negative practices indicative of social disorder (Wilson 1985). Conversely, private property ownership is presumed to secure the freedom of the individual and bring social progress in its wake (Scott 1977). Bolstered by these narratives, private ownership has expanded over the last several decades to include new forms such as bio-property and intellectual property (Hirsch 2010; Parry 2004); and into new territories via increasing ownership of natural resources (Rose 2009) and into cultures not traditionally organized by this kind of social relationship (Brown 2004; Hirsch 2010).

The prevailing justifications for private ownership are rooted in a narrative illustrated by the allegory *The Tragedy of the Commons* (Hardin 1968). In this story, land that is commonly-held is used as a grazing area by herders. Each pursues their own individual self-interest and grazes as many animals as one can on this land, ultimately leading to over-grazing which ruins the land as a resource. While this allegory is flawed in many ways (for example, its assumption of self-interested rational actors (Gardiner 2001)), the implication – the “solution” – to the tragedy of the commons is private ownership. If the common grazing land were privately held, the owner – in seeking to secure the property as a site of long-term investment and personal economic gain – would see to it that it was not

over-grazed by limiting its use by others. This right of exclusion allows the individual property owner “freedom from” the interference of others in his or her pursuit of self interests, and presumably benefits society by ensuring that the property – as a resource – is properly managed for future use. This is both an economic argument and a moral one, premised on the belief that private legal ownership is the most economically efficient form of ownership (Barzel 1997; Coase 1960; Demsetz 1967; Libecap 1989; North and Thomas 1973), and that social progress is a result of such a relationship (Carter 1989; Scott 1977). Thus, as the narrative goes, the way to ensure that property (i.e. land, natural resources,³ houses, or buildings) is properly cared for and maintained is to put property into the hands of private owners (Burke 2012; Gordon 1954; Scott, A. 1955). In short, private ownership ensures responsible care for property.

Countering this prevailing narrative that private legal ownership is best suited to protecting and caring for property, some scholars, drawing on different economic and moral premises, have argued in support of common property ownership, or “the commons” (Ostrom 1990; Rose 1994; Raymond 2001) and documented examples of “successful” common property (Firmin-Sellers 1995; Libecap 1989; Sened 1997). Indeed, scholarly debate about property ownership seems to exist primarily between supporters of private

³ The instantiation of international environmental protocol such as the Kyoto Declaration in 1997 also provide evidence of the persistence of this narrative, wherein policies aimed at protecting the environment are rooted in the establishment of private property rights over natural resources. These policies persist in the face of rigorous academic critique. For discussion see Bakker 2007.

ownership and communal ownership.⁴ Yet the persistent narrative that private ownership is the best way to ensure that property is cared for and maintained (Hardin 1968) undergirds the continued significance of federal policies to increase homeownership (Shlay 2006) and the increasing push to privatize land and natural resources (Davidson 2007). In urban centers, private ownership is the dominant form of socio-spatial regulation, and in many areas, formerly public spaces are being put into the hands of private owners (Gieryn 2000).

Private Property as Regulation and Ideology

The dominant narrative that private ownership is the best way to protect and care for property remains a powerful cultural trope in both scholarly and – more importantly for this study – everyday understandings of private property. Research on neighborhood conditions finds that private home ownership improves neighborhood stability and overall health in a number of ways. As a complex form of investment (Becher 2014), property ownership has both economic and emotional dimensions. Property owners invest by purchasing and maintaining their properties (and for most Americans homeownership is their most significant economic investment (Pattillo 2013)). Owners are more likely to maintain properties than renters, thereby improving the physical environment and reducing visible signs of disorder (Dietz and Haurin 2003; Galster 1983, 1987; Taub, Taylor, and Dunham 1984). Property owners stand to benefit personally and financially

⁴ See, for example, (Mukhija 2005) for a discussion of “the commons”: the tragedy of the commons (Hardin 1968), the inverse commons (Raymond 2001), the comedy of the commons (Rose 1994), and the tragedy of the anti-commons (Heller 1998).

from property maintenance and upkeep (Haurin, Dietz, and Weinberg 2013; Rohe and Stewart 1996).

The emotional dimension of investment is heightened for property owners who reside in (owner-occupants) or who regularly use (business owners, for example) their property over landlords who rent land or property to others (Friedrichs and Blasius 2009). Having a stake in the place of which their property is a part links homeownership with increased engagement in community organizations (DiPasquale and Glaeser 1999; Harkness and Newman 2002; McCabe 2013; Rossi and Weber 1996). Homeowners are also more likely to get to know and positively interact with their neighbors (Fischer 1982; Rohe and Stewart 1996; Sampson 1991) and to reside in the property longer (Dietz and Haurin 2003; Friedrichs and Blasius 2009; Green and White 1997; Rohe and Stewart 1996).⁵

Research also finds widespread ideological commitments to private ownership in everyday discourse. Edward Goetz and Mara Sidney (1994) studied conflict between inner city property owners and renters over neighborhood development plans in the Twin Cities. Dominating this conflict was what they called an ideology of property suggesting, “that neighborhood decline is the result of the continued development of rental housing” (331). This ideology of property was based in the belief that renters – lacking the strong economic incentive of ownership – have less of a stake in the community, and could not therefore be as committed to improving the quality of life in the neighborhood (324-325). Similarly, in her recent study of the relationship between rental housing and perceptions of

⁵ Rohe and Stewart (1996:39) explain that neighborhood health might be a more appropriate term to use, because many revitalization programs seek to change neighborhood dynamic for the better and improve them, rather than stabilize their current conditions. I continue to use the term “stability” as it is most common in the literature.

neighborhood safety in Calgary, Heather Rollwagen (2014) found that not owning one's home was equated with a lack of commitment to the neighborhood. She demonstrates that individuals assume that those who have invested financially via home ownership have a greater incentive to actively work for the betterment of the neighborhood. In both these studies, the implication of the homeowners' perspectives is that only private ownership – as a guarantee of future economic reward from a property – could evoke practices that demonstrated maximum concern and care for the property and the neighborhood.

As an economic and emotional investment, private ownership positively impacts the ways and extent to which residents care for property and the neighborhood. However, two problems exist. First, it is unclear whether the positive impacts of homeownership are due to the individual characteristics of those who decide and are able to purchase homes, or whether they result from the property-owning relationship (McCabe 2013; Rossi and Weber 1996; Shlay 2006). We could similarly extend this query to private owners' stewardship of land or natural resources. Second, this framework presumes a certain set of social conditions that are necessary to support a relationship between ownership and responsible care, such as a functioning market for property wherein private ownership is an economic investment, and an effective legal regulatory system to protect this investment (Kuyucu 2014).

Because existing research focuses on contexts wherein these two tenets of private property are expected (i.e. that property is an economic investment and that property rights are protected) and analyzes legal property relations, existing scholarship cannot adjudicate what outcomes or findings related to property ownership are due to these two presumptions, and what facets of property relations are perhaps related to other factors.

That is, what existing scholarship “knows” about property relations in everyday life (how people relate to property, and how property adjudicates their relations with each other) is obfuscated by the legal and economic dimensions of private property ownership. Research on the relation between property ownership and neighborhood stability relies on the idea that property is an economic and emotional investment protected by law to explain behavior by homeowners (or acknowledges that the causality is unclear). Economic research often treats property as a source of intergenerational wealth, and legal scholarship often treats property as a bundle of rights protected by the state. But focusing on these angles obfuscates the everyday practices, local conditions, or different attributes of property users that may impact property relations and outcomes associated with property ownership (like the effect for neighborhood conditions).

The context of urban decline problematizes the presumed existence of these conditions: property is often more of a liability than an economic investment, and lax property law enforcement means that property rights are commonly violated. Furthermore, much of the vacancy in declining cities is due to property owners abandoning their properties – an unexpected practice in other contexts (i.e. property abandonment in a city like San Francisco is unlikely). But it offers an opportunity to investigate the non-legal, everyday factors that influence property outcomes, which are typically obscured by the instrumental and constitutive effects of property laws.

Urban Growth

Until recently, most urban scholarship presumed conditions of growth. Perhaps the two most prominent approaches to studying the city – urban ecology and political economy

– have theoretical frameworks for explaining and interpreting the rise of the city and its internal dynamics that rest on increasing population and competition over urban space. Faculty from the early Chicago School took a social-Darwinian approach to interpreting the city, wherein the dynamics of cities are treated as the product of natural competition among species in an ecological environment (see for example Park, Burgess, and McKenzie 1925). The “fittest” economic actors in a city seize prime locations, relegating less powerful (like the poor) to less attractive spaces (such as neighborhoods near environmental hazards). This framework presumes that there is contention over the space of the city, wherein power differentials play out and the “survival of the fittest” explains the spatial dispersal of different uses and actors across the city.

In one classic example from the political economy camp, Harvey Molotch coined the idea of cities as “growth machines” in 1976. This theory (expanded in conjunction with John Logan in Logan and Molotch 1987) explains cities as created through struggle between, on one hand, authorities and institutional actors who want to make money from urban space, and those who want to make a life by pursuing activities in that space (Logan and Molotch 1987). They explain that, “urban governments become battle grounds between those who wish to use the city as a means for enhancing the values of citizens and those for whom the city is an asset in money-making projects involving urban space,” (Molotch and Logan 1990:87). Congruent with a classic Marxist perspective, local governments serve to protect and bolster the needs and interests of “space entrepreneurs” in their quest for growth (Logan and Molotch 1987; see also Harvey 1989). Urban centers are imagined as places with increasing populations and wherein capital expands and grows – growth is both population and profit. But this framework rests on the presumption that

there is competition for urban space, and that urban space is a site for entrepreneurial investment.

In the context of urban growth, property (“place” according to Logan and Molotch 1987) is treated as a commodity, albeit a commodity like no other. Real property is unique in a few ways. First, it creates and sustains access to other commodities (Logan and Molotch 1987:18) that are spatially proximate. Second, because land quantity is fixed, entrepreneurs cannot just make more land in a given geographic space in order to meet increased demand, giving the owners of land a monopoly (Logan and Molotch 1987:23). Third, the price of property – the “rents” – are also not dictated by supply and demand (e.g. cities that see new housing built also tend to see increasing property values/rents). Instead, Logan and Molotch argue that “Price is driven by competitive bidding on a fixed resource by investors who assume that the future price will be greater than the present one” (1987:26). According to Marx, commodities are marked by their exchangeability, so in order for property to be a commodity, there must be a market for its circulation and someone willing to pay a price for it (Marx 1990). This cannot be presumed in declining cities.

In essence, prominent theoretical frameworks for conceptualizing what the city is and how the social relations within urban areas play out, all presume and rest on the idea that urban spaces are increasing in population. The resulting dynamics between classes, different social groups, dispersal of different economic functions (industry, commercial, etc), prime commercial areas, and even environmental hazards, are explained by various power struggles over urban space. In this context, real property is urban space carved up by law, delineated by zoning codes, lot lines, owners, and public versus private. Communal

property is rare – publicly held parks, streets, and sidewalks are perhaps the closest most cities get to having communal property. But being owned by a given municipality is not the same as being held in common by individual actors. Thus, one reason for studying property in the urban context, and especially in a declining urban area, is that property relations are legally regulated access to urban space. But competition over property-as-commodity (neither from a political economy perspective nor an urban ecology perspective) is inadequate for explaining similar phenomena in declining cities. In short, existing theoretical frameworks for explaining what the city *is* are not adequate for interpreting social life in cities like Detroit.

In a declining city, space entrepreneurs have little interest in property, and it does not take the “fittest” or most powerful economic actors to gain access to property – a resource in the urban context. In Detroit, for example, Andrew Herscher (2012) argues that property has taken on new value systems – property becomes more significant for its use value by residents than exchange value by speculators. The government’s role in regulating property in Detroit still adheres to a market-based logic, trying to encourage investors and new owners (Hackworth 2014), but fails to reliably enforce property laws. In the context of urban decline, property cannot be presumed to function in accordance with a theoretical framework that presumes conditions of growth. It does not make sense to conceptualize the dynamics of urban Detroit as the product of conflict between citizens and entrepreneurs over property (as in Logan and Molotch’s political economy of the city approach) nor as a battle for survival of the fittest. This research aims to further sociological understanding of property dynamics in the context of decline by examining

individual and social relations that are taking place on the ground, in everyday life, among Detroit residents.

Urban Decline

Urban decline is a process predominantly associated with post-industrial urban centers in the U.S. and parts of Europe that have experienced a significant decrease in population corresponding with economic shifts like a reduction in manufacturing jobs. The term “urban shrinkage” has become popular over the last decade, and was coined by the Regeneration East Programme in Germany, which sought to tackle design issues related to substantial population losses in Eastern Germany (Bernt 2015:2). However urban decline scholarship is much broader, encompassing population decline linked a variety of stimuli including low birth rates in western European countries; post-socialist economic migration; and the post-industrial economic transformation that has influenced the widespread decline of the Rustbelt of the Midwestern and Northeastern United States. Even Silicon Valley went through a period of urban decline, during the dot-com bust (Pallagst 2008:8). Scholars note that decline is as old as the collapse of the Roman Empire (Bernt 2015) and throughout history events like plagues spurred population decline in urban areas (Pallagst 2008:7). Current research examines case studies of urban decline from countries across the globe including Mexico, Brazil, France, the UK, South Korea, Australia, and Japan (Pallagst 2008:14; see also SCiRN for these projects⁶).

⁶ SCiRN stands for “Shrinking Cities International Research Network, see www.shrinkingcities.org

Precise definitions of urban decline are often absent from literature, or vary so greatly that Matthias Bernt (2015:1) comments that shrinking cities research “is based on a fundamentally misleading conceptualization of shrinkage as a universal phenomenon with local specifications.” Shrinking or declining cities are characterized by a constellation of different forces that lead to and/or are spurred by the shared characteristic of population loss (Bernt 2015). Bernt identifies the following common characteristics in definitions of urban decline (or shrinkage): population decline, “macro-trends in urban development” (2015:3) that are associated with migration out of urban centers such as suburbanization or economic shifts, and an associated host of urban problems that vary in degree and form depending on local context. For example, social welfare policies in Germany help to mediate the rise in poverty and crime that plague U.S. declining cities.

Rather than attempt to articulate an all-encompassing definition of urban decline, it is more useful to demarcate the conditions that are primary for this case study, such that other scholars may identify similar definitional features for comparison. Detroit is a case of urban decline characterized by significant (more than 50%) population decline spurred by the growth of the suburbs, the transformation of economic base – in particular the spatial displacement of automobile manufacturing – and racial inequality in the city, exacerbated by discriminatory institutional practices and racial tension among residents (see (Sugrue 1996) for useful discussion). This decline has brought with it a host of social problems, including most pressingly an underfunded municipality, property abandonment and low

property values, high unemployment and jobless rates, high crime rates, and stark racial segregation.⁷

Detroit may be at the forefront of urban decline in the U.S. and is featured in much research on shrinking cities, but despite its sensationalized, romantic portrayal as the tragic fall of an American empire in popular media, it is not entirely unique. Research on declining or shrinking cities in the U.S. includes Buffalo, Cleveland, Pittsburgh, St. Louis, Baltimore, Philadelphia, Birmingham, Memphis, Norfolk and Richmond (Pallagst et al. 2009). In varying scale, cities across predominately the Midwestern and Northeastern United States have neighborhoods grappling with population decline, vacancy and spatial abandonment, high unemployment rates, low property values, and underfunded municipalities. In his seminal book, *The Origins of the Urban Crisis*, Thomas Sugrue observed that “the differences between Detroit and other Rust Belt cities are largely a matter of degree, not a matter of kind” (Sugrue 1996:3,14).

Detroit’s decline is often reductively blamed on the collapse of the auto-industry (Steinmetz 2009), but rather than being a unique event, this kind of change in the economic base of a region is a historical process of urban transformation that David Harvey calls the spatial displacement of capital and is linked to the global spread of neo-liberalism (Harvey 2003). Global capitalism produces and reproduces uneven geographical development as individual capitalists seek advantage within a given spatial region. Harvey explains that capital investment in geographic regions (e.g. the creation of mining operations in remote areas) is a way to temporarily overcome capitalism’s internal contradiction of over-

⁷ These conditions and their impact for property relations in the city are discussed in Chapter 2.

accumulation by creating an outlet for capital investment. But because this is only a temporary fix, capital must eventually be extracted and reinvested in a new region, making economic investment in urban areas an inherently unstable process. Geographic regions are built up as an outlet for investing surplus capital, and then when profits begin to languish, resources are extracted and moved to a new geographic region. The increasing pace of technological transformation purports to only speed up this process of geographic displacement of over-accumulated capital. The emphasis on the collapse of the auto industry as the “problem” with Detroit is reductive, but points towards this very issue: that capital can be moved to new locations, regions, or facilities in search of increasing profits. Many industries moved from the rust-belt to avoid having to pay union wages, to areas in the sun-belt, where land was cheap, workers were not unionized, and the invention of air-conditioning made desert-life tolerable. Mining towns are an example of the way the spatial displacement of capital impacts local geographies (Martinez-Fernandez et al. 2012): when mines were closed and capital was moved elsewhere either because a mine was no longer profitable, or because new technologies opened up opportunities for investment and profit elsewhere, entire towns were abandoned. The present-day “ghost towns” that litter the Nevada desert are one example of the impact of economic transformations for local population shifts.

The main point, however, is that despite the presentation of Detroit as a unique city that declined because of the loss of auto manufacturing in America, it is instead a particularly lucid example of the spatial disinvestment, displacement and reinvestment of capital, which is a global-scale method for overcoming the contradictions of capitalism. It can be expected that urban areas across the globe will continue to grow and decline, and

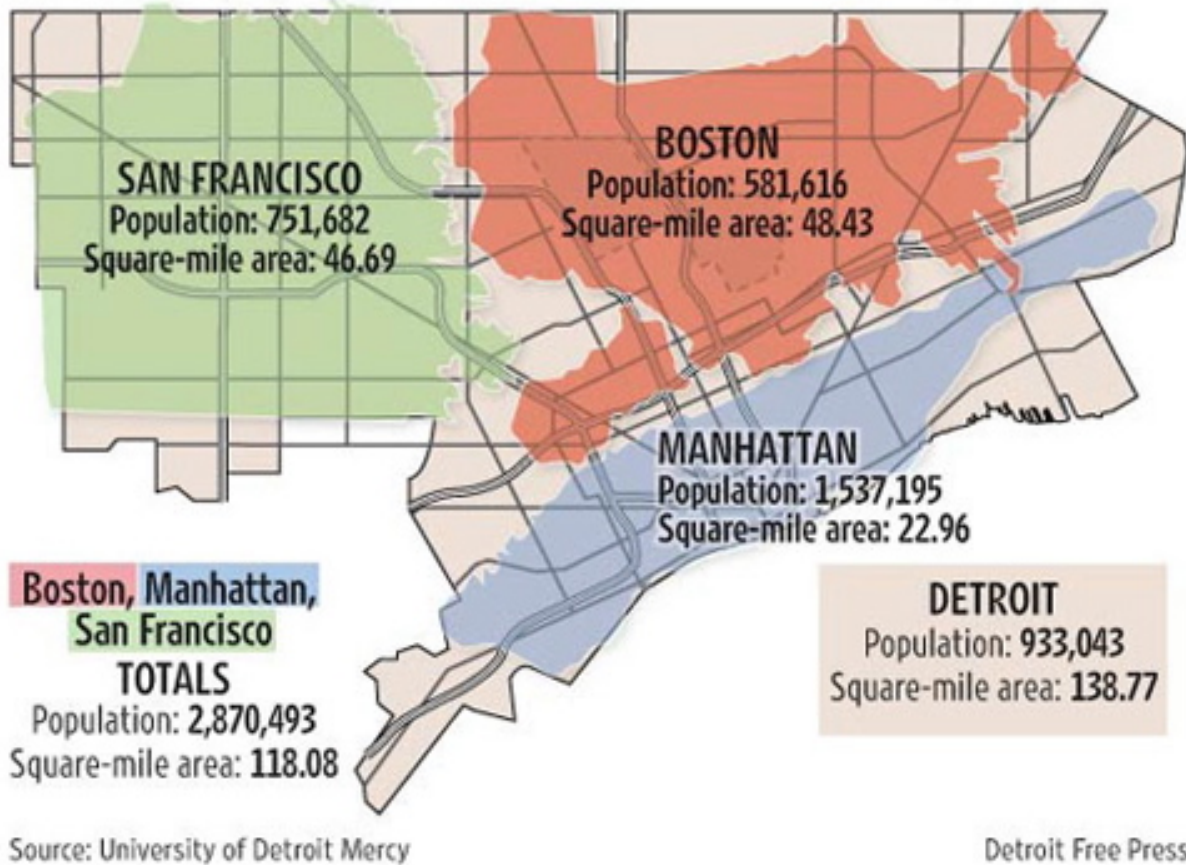
thus urban scholarship needs a more rigorous understanding of the way the characteristics of urban decline impact local processes and social relationships.

Shrinkage or Decline? A Note About Terminology

Scholars often use the terms “urban shrinkage” or “shrinking cities” and “urban decline” or “declining cities” interchangeably. Or, if their own work is internally consistent with this terminology, they reference, without caveat, scholars whose work uses the other term. I use the term “decline” throughout my research because the term “shrinkage,” I believe, illustratively misdirects the problem. “Shrinkage” conjures up the image of too-large tee-shirt, needing to be shrunk to the right size in the wash. The problem with this term and the imagery I associate with it here, is that it reduces the problem to one of “fit,” with the solution being to scale down the city’s geographic size in order to “fit” the new smaller population. This idea is illustrated perfectly by this map [Figure 1] of Boston, Manhattan, and San Francisco all fitting geographically into the footprint of Detroit, implying that Detroit is too big for it’s population.

Figure 1: Footprint of Detroit

Comparing Detroit to three other major cities



To counter this explanation of the problem as one of “fit”, consider the following comparison between Portland, Oregon and Detroit, Michigan. Portland is well known as a vibrant city constantly lauded for its progressive land-use policies that have encouraged dense, walk-able neighborhoods, and smart planning decisions. Yet Detroit and Portland have very comparable ratios of population and square-mile footprint:

Table 1: Comparison between Detroit and Portland

City:	DETROIT	PORTLAND
Population	677,116	619,360
Square Mile Area	142.87	145
Ratio	4.7 thousand people per square mile	4.3 thousand people per square mile

Detroit's "problems" are not as simple as the ratio of population-size to square-mileage. Instead, the direction of the population change is a more accurate root of the problem than fit: Detroit's population has declined nearly three-fold, while Portland's has been steadily increasing. The term "decline" is thus apt for linguistically pointing towards 1) the process of population decline that is caused by and causes a variety of social problems, and 2) the decline in quality of life that is associated with this population decrease. The latter is impetus for more comprehensively understanding the former: if population decline were associated with a return to idyllic small-town comforts for remaining residents, this urban process would not be so pressing for social scientists and urban planners to understand.⁸ Thus, while I regret that the term "urban decline" has a pejorative connotation, it is still appropriate for evoking the object of study this term signifies: the multi-faceted process of urban transformation and the accompanying host of social problems that plague many cities across the U.S. (not to mention the world) that have experienced or are experiencing a meaningful decrease in population size.

⁸ Perhaps the term shrinkage is more popular outside of the U.S. because, "The social consequences — exclusion, poverty and homelessness—are happening to a much more dramatic extent in the US than in European cities," (Wiechmann and Pallagst 2012:273).

Informal, Illegal, and Illicit Property Use

The conditions of urban decline are ripe for the rise of informal practices. Lax surveillance by over-burdened, underfunded authorities and an abundance of interstitial spaces (abandoned lots, buildings, desolate alleyways, etc) throughout the city create an opportunity for illegal practices that utilize property. These practices range from informal (such as residents mowing vacant lots nearby) to illicit (as when scrappers steal aluminum siding while homeowners are temporarily away). In economically distressed areas, informal survival tactics are taken up by marginalized residents. At the same time, decreasing service provision under conditions of austerity has been linked with an increase in “DIY urbanism” – grassroots interventions into urban life aimed at improving it (Douglas 2014; Talen 2015). This means that in a city like Detroit, we can expect to find a prevalence of jure illegal activities from residents of varying socio-economic positions that range from informal (having achieved a degree of legitimacy (Portes, Castells, and Benton 1989) to illicit.

Informality research in the U.S. has focused on informal/underground economies (Bourgois 1995; Duneier, Carter, and Hasan 1999; Venkatesh 2006) and to a lesser extent informal self-built housing (Larson 2002; Sullivan and Olmedo 2015). A smaller body of research on squatting in the U.S. primarily focuses on politically-motivated squatting in major cities in the 1960s-1970s (see Pruijt 2003 for introduction) but squatting in urban centers in cities across Europe has received a great deal of attention (see López 2013; Pruijt 2013). The focus of these studies is not the everyday meaning of property qua property, but rather how informal work and housing strategies are perceived by the

community; how and when they achieve a level of legitimacy (Gowan 1997; Pruijt 2013); how they fulfill individual needs (Edin and Shaefer 2015); or the way that actors make alternative claims to the right to housing by the state (Pruijt 2013).

More generally, studying informality in the U.S. reveals how actors handle and navigate increasing economic inequality in the midst of rampant neoliberalism, decreasing support for social welfare programs, and the continued lack of support for socio-economic rights more generally. The institution of private property plays a specific role in exacerbating social inequalities (Carruthers and Ariovich 2004), in part because access to property is a social right for which the U.S. does not have a legal framework nor political support. Illegal property use is a kind of non-legal claim to the right to property, and benefits appropriators by providing housing, income, food, etc – all things that are not guaranteed rights in the U.S. These informal claims are an expression and practice of the right to property for purposes and via avenues not recognized or accommodated by the state. By studying these claims “outside” the law, or what I call the “non-legal” facets of property relations, the way that property mediates social life becomes clearer. The law’s constitutive and instrumental impacts on social life are but one way in which property influences the dynamics of social interaction, place-relations, and the production of urban space. The everyday components of property relations are obfuscated by the law’s hegemony and the privileged standing of property rights.

Illegal appropriation provides an opportunity to study property in everyday life and gain a deeper understanding of the everyday meaning of property that is obscured by the dominance of legal property relations. Finally, studying informality is a way of accessing local epistemologies. Strategies for survival and well-being not only reveal something

about the way that law functions in everyday life in the context of urban decline, but also how to best navigate the obstacles these conditions present for residents (Lugones 2003; Matsuda 1987). These local sources of knowledge can inform broader strategies for improving the conditions of life in declining cities.

Property in Everyday Life

Studies of property in everyday life have found that property-related outcomes are influenced by non-legal factors, not just property laws. What this means is that social phenomena related to property are not wholly explained by the law's constitutive or instrumental influence. In other words, looking for everyday meanings and practices of property often explain puzzling findings that run counter to what the hegemonic standing of property rights and laws would lead us to expect. The following two examples illustrate the complexity of property in everyday life, and that non-legal factors help to explain the outcomes associated with legal property ownership.

Debbie Becher (2014) studied support for and contestation over eminent domain in Philadelphia. We might expect that government takings (eminent domain – when the government takes private property from legal owners) would be wholesale resisted by citizens because these takings pose a significant threat to the security of private property, which government is charged with protecting. But Becher finds that residents expect the government to not just protect their right to own property (i.e. their property rights), but that they expect government to protect their property's value, which sometimes means taking property in order to create land sites for large-scale investment projects which will increase the value of nearby properties. And, when government takes property, owners

expect to be compensated not just for monetary value (i.e. market value) of their property but feel that “just” compensation should reflect their time, emotional, and labor investments as well. Becher’s work demonstrates that the dominant perspective that government’s role in protecting property is to secure a legal right is reductive. Instead, residents in her study express the view that government should protect property values (both economic and use-value) and that just compensation for violating one’s property rights must consider the various forms of investment made in property. Becher’s findings demonstrate that residents expectations of what constitutes government protection of property is not clear without considering the everyday meanings of property for residents, and the complex understanding they have of how and why property is valuable.

From the perspective of legal theory (Merrill 1998) property boundaries function as a simple, clear, and universal message of exclusion – a key right of property owners (i.e. to have sole power to exclude others from one’s property). Nicholas Blomley (2016) tested this presumption by examining how residents of a Vancouver, B.C. neighborhood negotiated and responded to boundaries of neighborhood gardens. Blomley finds that people commonly “violate” these boundaries by crossing them or taking from gardens without permission. He concludes that in everyday life, people hold diverse and contradictory views about property boundaries, and is surprised to find that they offer diverse explanations and justifications for why they do so. While property laws are clear about the rights (and lack thereof) for non-owners with regard to private property, this study illustrates that everyday negotiations of this legal relationship are much more complex than a study of the law’s influence will find.

Sarat and Kearns (1995:7) write that because the everyday “is a scene of action and production, we can turn to the everyday to see the way law is reenacted and remade far from its well-recognized, well-marked official sites...But because everyday life is a force in motion and a clash of forces that never fully reveal themselves, law can never fully capture or organize the everyday...” As these two empirical examples demonstrate, the law does not fully circumscribe, predict, or explain the meaning, function, or practice of property in everyday life. In the urban context, property laws regulate residents’ access to space, and therefore also spatial relations to each other. But property rights and legal regulation cannot fully explain how property relations mediate social life. Other studies have found it useful to consider non-legal factors when studying law in the lives of marginalized groups (Levine and Mellema 2001; Sarat 1990); and find that legal cultures vary in different contexts (Blomley and Clark 2013; Mezey 2001). In Detroit, law is not salient in influencing everyday domains the same way it is under conditions of urban growth or in areas with more economic stability. This study considers structures and features other than the law to understand, interpret, and explain the informal, illegal property practices that are commonplace in everyday life in Detroit, such as daily needs and the low likelihood of punishment. Other forms of adjudication, uses of, and intentions with property come to the fore. These findings are useful for understanding life in the context of urban decline, but also for explaining property-related outcomes that are not explained by the constitutive or instrumental influence of the law.

Policy and Planning for Decline

While growth and decline are linguistic antonyms, they are not inverse processes in the urban context (Galster 2015). Growth builds upon a geographic area, densifying and expanding it, while decline happens within the infrastructure, footprint, and boundaries established at the peak of growth and are not easily “unbuilt.” Decline is spotty and uneven, happening at different paces and scales within a geographic area, and is inextricably linked to processes of growth and decline at other scales and in other regions (Bernt 2015). This complicates attempts to remedy urban decline by trying to shift the process in reverse and encourage growth.

Since the post-war period, however, urban planners have been dealing with the hollowing out or “donut effect” that the rise of the suburbs has had for many urban centers. But these planning agendas have relied on models of growth to inform their revitalization strategies for distressed urban centers (Pallagst 2008, 10). Despite the fact that urban decline has been an acknowledged phenomena since the 1970s, “the predominant task of urban policies and urban planning remained to reverse economic decline by re-strengthening the economic competitiveness of shrinking cities and going for new economic and demographic growth. In most cases the administrative system in shrinking cities persisted as solely growth orientated” (Wiechmann and Bontje 2015). Decline is perhaps most significantly a “problem” because there exists no tried and true model for how to accommodate the convergence of economic crisis and population decline in a way that does not call on the growth machine (Molotch 1976) to save the city. The lack of a model for addressing decline is not the only obstacle - even the logic of planning for population shrinkage is viewed as a threat or taboo (Pallagst 2008:14). Ideologically,

planning for decline counters historically-rooted notions about the normativity of geographic and economic expansion. But perhaps even more troubling is the realization that urban decline is not a short-lived condition to be “recovered from” (Bontje 2004) - it is a byproduct of global neoliberalism (Harvey 2003) and as such is not a process we can expect to sufficiently curb without dramatic alteration to capitalism. For municipal actors, policy makers and urban planners to imagine something other than a strategy of growth requires entirely new models of urban life, social relationships, and processes that are situated within and take seriously the conditions of decline. As such, Matthias Bernt (2015:8) urges urban decline scholars to ask, “How does shrinkage change urban life?”

In other contexts, research has demonstrated a synchronicity between everyday beliefs about property rights and ownership (that legal, private ownership is best for neighborhood well-being, for example) and how authority structures regulate property rights at a macro/institutional level.⁹ In Detroit, authorities have been largely promoting and adhering (albeit unreliably) to a market-based approach to property regulation (Hackworth 2014) but there is reason to believe that the informal, illegal property relations that have developed among residents may not be synchronous with this legal/market/investment-based logic.

Studying property relations in the context of urban decline is central for understanding social life in this context because what scholarship has previously

⁹ Logan and Molotch (1987) argue the state protects the exchange interests of entrepreneurs, which are often in conflict with urban residents “use interests” in property. My point here is that the hegemony of liberal conceptions of legally-protected private property as an individual and social good persists throughout everyday meanings of private property and informs macro-level regulatory strategies by state actors, not that their interests in property are the same.

demonstrated about property's relationship to social phenomena or individual outcomes of property relations do not translate into a context like Detroit. The metaphorical and physical space for informal social action that a city like Detroit provides is also akin to a natural experiment, wherein the legal-economic factors that typically property relations are reduced and other non-legal factors that influence property come to the fore. Finally, speculating the impact that "remedies" will have for residents in declining cities requires understanding current conditions of urban life in such places. Gentrification research has, for example, provided social scientists with a model for how an influx of capital into an urban area might impact existing renters and longtime homeowners (Zukin 1987). But we do not yet know how the strategies for urban transformation – new and old – will impact residents of a declining city. While Detroit has become a poster-child for the crisis of urban decline because of its scale and severity, it is very recently being lauded as on the road to recovery, signified by glimmers of gentrification and the first increase in the white population since 1950.¹⁰ Key to these recent changes are plans, policies, and laws that seek to "handle" all of the vacant and abandoned property in the city by increasing regulation of the informal, illegal uses of property. How might the impact of these new regulations be influenced by the variation in informal/illegal property use? What are these informal/illegal practices like? And what non-legal factors exist that may influence the ability for informal actors to comply with new regulations?

¹⁰ Louis Aguilar and Christine MacDonald. "Detroit's white population up after decades of decline." The Detroit News. September 17, 2015.

<<http://www.detroitnews.com/story/news/local/detroit-city/2015/09/17/detroit-white-population-rises-census-shows/72371118/>> Accessed 6/3/16

Outline of the Dissertation

Chapter 2, Property and Urban Decline.

This chapter asks, “Why is there reason to believe that urban decline alters property relations?” This chapter explains how the symptoms of urban decline (population decrease, economic crisis, and underfunded government) have impacted the way that property is managed, organized, and regulated, and discusses how these city-level changes challenge conventional presumptions about how property mediates urban social relationships.

Chapter 3, From Illicit to Informal: Grassroots Property Regulation.

In Detroit, there is widespread acceptance of property appropriation among residents in my study, giving it an informal rather than illicit character. This chapter asks, “How do residents adjudicate the informal “right” to property, and what does this tell us about how property access and control is related to social benefit under conditions of decline?” I find that in everyday interaction, residents do not try to enforce the law themselves via guerilla tactics. Instead, they adjudicate the non-legal “right” to property by requiring demonstrations of care to property and community, inverting the previously observed relationship between ownership and care. In doing so, residents improve their neighborhood conditions. The conditions of urban decline impact the link between private ownership and neighborhood stability.

Chapter 4, Informal Property Claims for Alternative Use-Values: Lifestyle and Necessity Appropriation.

This chapter asks, “How do different social groups make informal claims to property?”

Critical urban theorists conceptualize growing cities as produced via conflicts over urban space by residents, who make legal use-value claims, and entrepreneurs, who make legal exchange-value claims. Similarly, the urban ecology standpoint considers cities as the product of “natural” competition by species within an ecological system. But these frameworks only consider the impact of legal property access and control. In declining cities, illegal/informal property access and control brings in another dynamic to property relations. This chapter explores the informal property claims made by two ideal-type categories of property appropriators: Lifestyle Appropriators who find property useful for creating fulfilling lifestyles, and Necessity Appropriators who find property useful for ensuring survival. These differing use-value claims to property are influenced by the habitus of appropriators. What this means is that in the context of urban decline, the city is shaped by tensions, conflicts, or even collaborations among different property claims-making groups than have been observed under conditions of growth.

Chapter 5, *The Temporality of Property Relations in Everyday Life*.

This chapter explores non-legal factors that influence property relations in everyday life. In other socio-legal scholarship, property has been conceptualized as a spatio-legal concept: defined by the social action and processes take place in a legally-defined space (Blomley 2014). But in a city like Detroit, the visual markers and presence of law have decreased over time, such that the law is less influential for defining space as well as for influencing the practices that take place within that space. I study the way time influences property relations by comparing the temporalities of property appropriation for Lifestyle

Appropriators and Necessity Appropriators. These differing temporal relationships to property shape the meaning and function of property for these two groups. I argue that the temporality of property relations may be a previously unobserved factor that impacts the outcomes associated with legal property relations. Rather than being confined to this context (where illegal property use facilitates accessing this temporal dynamic), the temporality of individual property relations (which is influenced by social position) can help explain outcomes associated with legal property ownership as well.

Chapter 6, *Regulating Informality; Reproducing Inequality*.

Authorities in Detroit have recently embraced the idea that handling decline necessitates creative strategies, especially with regard to managing all of the vacant and abandoned property in the city. This chapter considers how new forms of property regulation in Detroit will impact Lifestyle and Necessity Appropriators' informal practices. Other research has highlighted the obstacles of formalizing informal activities, because there is often a price to compliance and most informal actors are economically marginalized. Here I find that money per se is not the only obstacle to benefitting from formalization. Instead Lifestyle and Necessity Appropriators are disproportionately impacted by increased regulation due to differences in their informal practices, such as the temporality of property appropriation. I find that the conflicting temporality of formal and informal property relations in Detroit is a mechanism that reproduces inequality.

Methods

This project is based on over four years of ethnographic research conducted while living in Detroit. During this time, I conducted 65 formal interviews, typically lasting about 90 minutes. These formal interviews are supplemented with participant observation in meetings held by community groups, neighborhood associations, and local non-profits. I volunteered at soup kitchens, homeless shelters, and neighborhood gardens; and worked with civically engaged community groups and non-profits on issues related to blight removal, housing rights, and tax foreclosure. I rode along with police officers on patrol and social workers doing community outreach. I visited squatted areas, scrap sites, and abandoned buildings with appropriators. I also coded and analyzed relevant discussions on a popular Detroit internet chat site and news articles from major sources related to vacancy, blight, and illegal property use in the city.

My interview subjects were chosen according to three different groups: appropriators, resident witnesses, and institutional actors. I interviewed 41 appropriators illegally using property – people squatting, scrapping materials from buildings or even tearing them down, gardening or otherwise using vacant properties. I interviewed 20 residents of Detroit who have encountered these activities as part of daily life, for example they lived next door to squatters or were the victims of scrapping. I interviewed 21 institutional actors who deal with illegal property use from an institutional role, such as police officers, fire fighters, and city employees. Very soon the line between these conceptual categories became blurry. During many interviews that started out as “resident witness” interviews, I discovered that the witness was also participating in the illegal use of private property. Similarly, participants I interviewed because I knew they were (for

example) squatting then also revealed that they were scrapping or participating in another form of illegal property appropriation. Often during interviews with institutional actors I turned toward my “resident witness” script as well because it turned out the institutional actor lived next door to a squatter. The only combination that did not arise in my interviews was institutional actors who were illegally using property. Table 2 shows how many times I used each interview script:

Table 2: Interview Categories Count ¹¹

INTERVIEW CATEGORY	COUNT
Appropriators	41
Resident Witnesses	20
City Authorities	21

Through interviews, I wanted to understand how these actors conceptualized the illegal use of private property and particularly their own participation or complicity in property law violations, but I knew that the language or terminology I used to ask about these practices could impact how participants explained their perspectives. Therefore I introduced my research by stating that I was interested in the use of vacant and abandoned property in the city, and did not specify any interest in illegal practices. This was also a tactic for trying to avoid attracting interview participants who might “become” illegal appropriators for the sake of receiving the \$20 I paid in return for interviews. This was especially important at observation sites with very marginalized residents, like soup

¹¹ These counts indicate how many times I used each different interview guide, thus one person was sometimes interviewed as both a resident and institutional actor (for example).

kitchens or homeless shelters. I did have a few interviews wherein it became clear the participant was not actually illegally using property as he or she had initially claimed, so I would shift the interview towards the resident witness script in order to have a productive interview and still be able to compensate the participant for his or her time and assistance. During my participant observations (volunteering, or at community meetings, etc) I would privately approach residents who had already offered up (without any sort of prompting) that they were illegally using property or that they had witnessed it in their neighborhood, introduce my research and ask for an interview. For example, at one soup kitchen I overheard a woman offering advice to others about how to squat “the right way.” I requested an interview and was able to speak with her at length a few days later. These interviews participants almost always recommended other potential interviewees.

In my interviews, I refrained from asking about “the law” or the legality of practices until the interview participant had touched on the topic so that my questions could build off of the perspective they expressed.. Similarly, I refrained from using potentially loaded terms like “squatting” or “scrapping” until the participant had done so first. When the interview did not naturally progress to such topics, I tried to evoke discussion of these issues without using loaded language by asking about perceived “problems” in Detroit (scrapping was often the first one cited), or by asking if property appropriators were “concerned about” anything while squatting, gardening or the like. Surprisingly, the law or threat of punishment was not often mentioned at this point. When possible, I also utilized the language offered to me by the interview subject. Some squatters called themselves “homesteaders,” some scrappers called their activity “hustling.”

Per Institutional Review Board requirements, I asked interview participants engaged in illegal practices to refrain from using any identifying information such as their name, where they lived, or where they worked or had previously worked. I soon learned that most interview subjects were not at all concerned about maintaining anonymity because they believed that even if authorities knew about their illegal practices, they would not care. The only interview participants concerned with maintaining strict anonymity were mothers who were squatting with their children, as Child Protective Services could intervene and remove the children for living without plumbing or conventional heating sources.

Because of the illegal nature of the practices I studied, I initially relied on snow-ball sampling for interviews, though I soon discovered that finding eligible respondents was easier than expected. Therefore I was able to choose later interview participants in order to incorporate a broader range of perspectives based on differing backgrounds and identities. As such, my interviews are not representative of any neighborhoods or specific neighborhood conditions in Detroit. When I write about the conditions of Detroit that influence the perception of these practices, I am only speaking to the conditions identified by participants in conversation, or that I witnessed in their locations. I frequently conducted interviews in participants' place of residence or at a location of their choosing nearby and then drove them back home. Nearly all wanted to show me their neighborhood, pointing out the conditions to which I refer in this analysis.

Data

My data covers a wide range of practices in Detroit that involve the illegal use or appropriation of private property. Table 3 provides a snap-shot of the forms of illegal property appropriation in this project. Many appropriators engaged in more than one form of illegal property use.

Table 3: Definition of Illegal Property Appropriation in Detroit

CATEGORY	FORM	PRACTICE	COUNT
Occupation	Squatting/ Homesteading	Occupying houses or other buildings as primary form of residence/shelter	20
Occupation	Farming	Growing food, plants, etc on vacant lots for eating, sharing and/or selling	14
Occupation	Blotting	Using vacant lots for personal or communal purposes such as yard space, community fire pits, art projects, or even just parking	7
Deconstruction	Salvaging	Taking materials from blighted buildings unlikely to be rehabbed, mainly for personal use such as improving one's house or in art projects	16
Deconstruction	Scrapping	Taking materials - primarily metals - from buildings or houses to sell (often to scrap yards) for income; often does not adhere to ethos of care	7
Deconstruction	Demolition	Tearing or burning down blighted or unsafe structures that are deemed a threat by neighbors	6

I refer to people who participate in the illegal use of private property generally as “appropriators”. I use the term “resident witness” to refer specifically to people who reside in neighborhoods where these practices take place but who are *not* illegally using private property. However, some appropriators are also residents, for example if they are squatting, or own their house but illegally garden on adjacent lots. The term “resident” thus refers to both appropriators and witnesses and is used to discuss the people who are in the position of accepting or rejecting the presence of illegal property appropriation in their neighborhoods, because they are rooted in that particular place and have a stake in whether these practices are taking place proximal to where they reside.

Early on I recognized that appropriators seemed to be differentiated by their primary motivation for taking over property, namely, whether they did so to fulfill lifestyle goals (Lifestyle Appropriators) or to meet daily needs for survival (Necessity Appropriators). I pursued later interview participants in order to gain a robust understanding of these different categories. Table 4 provides an overview of these different categories of appropriators, along with the forms of appropriation in which they most often engage.

Table 4: Forms of Appropriation Count

FORM of APPROPRIATION	CATEGORY of APPROPRIATION	
	Lifestyle	Necessity
Homesteading	8	0
Squatting	0	12
Salvaging	16	0
Scrapping	0	7
Gardening/Farming	12	2
Blotting	4	3
Demolition	2	4

There were only two Necessity Appropriators in my study who were gardening or farming. I speculate that there likely are more in the city (probably home owners who have taken over vacant lots to garden in order to supplement their food supply). But it may be the case that the reason why most squatters or scrappers in my study were not also gardening is because the precarity of their lives is not commensurate with this kind of activity. Urban agriculture is a physically demanding practice that requires initial monetary investment to start up, substantial labor investment, and then several months to reap the benefits in terms of food production or other products to sell for income.

Analysis

All interviews were recorded using the Voice Memos application on my iPhone. I specified that interviewees not divulge any identifying information on the recording to ensure anonymity. I extended anonymity to institutional actors as well, since I was asking them to comment on illegal activities and wanted to encourage forthright responses. Interviews were transcribed verbatim by a professional transcription service. After each

interview, I wrote 1-3 single-spaced pages of notes, reflections, and details about the interview that were not captured by the recording. I took notes during participant observation whenever possible, and wrote field notes after.

All interviews were coded using Dedoose, a web-based mixed-methods data analysis program. In the first round of coding, I coded responses to the common questions in my interviews exploring the variation and similarities therein. Subsequent rounds of coding were much more inductive as I explored themes that I did not or could not directly ask about but that consistently arose in my data. I had two undergraduate sociology majors, one from the University of Michigan and one from Eastern Michigan University, independently re-code several key themes to check my interpretation. I started preliminary coding as soon as I received my first set of around 20 transcribed interviews. This allowed me to explore and clarify themes in my data that were unclear or puzzling by asking additional questions in later interviews. Finally, a growing network of other researchers focusing on Detroit provided invaluable feedback on the preliminary themes and ideas in my data, both verifying my initial interpretations and challenging them.

Chapter 2

Property and Urban Decline

This chapter answers the question “Why is there reason to believe that urban decline impacts property relations?” and in doing so introduces the local conditions in Detroit that purport to challenge conventional understandings of real property. I explain the impact that urban decline has had for local property markets, municipal regulation of property, and enforcement of property laws. These conditions undermine popular understandings of how private property organizes urban space and mediates relations among residents. The confluence of the conditions outlined in this chapter is common in declining cities and directly linked to population decrease and economic shifts. Because these conditions are not unique to Detroit, scholarship on urban decline should consider the way local property relations impact the manifestation of other social phenomena, such as neighborhood change or homelessness.

Property Relations

Treatment of real property varies across disciplines and emphasizes different facets of this complex social phenomena. For example, legal scholarship tends to treat property as a bundle of rights, and the sale of property as a transfer of exclusionary rights (Carruthers and Ariovich 2004). Property ownership is a legal relationship protected by the state that delineates access and control over property. From an economic perspective, property

rights protect owners' exclusive power over property as a "benefit stream" and all of the resources, income, or uses it provides. Urban scholarship often focuses on "space" and "place" instead of legally defined property per se. But from a spatio-legal perspective, property mediates proximal human relationships. Private property in urban areas allocates power, creates and reflects inequalities, and adjudicates access to urban space. Because real property is spatially rooted, it mediates relationships among individuals in a given proximity and their relationships to the resources of the city. Legal rights to property in highly sought-after, gentrified neighborhoods afford access to the resources that neighborhood is proximal to: quality schools, retail choices, safe spaces, efficient transit, etc. In highly segregated neighborhoods or spaces of concentrated disadvantage, residents are hindered by the limited resources proximal to the property to which they have access. In this dissertation, the term "property relations" refers to how people relate to the physical space of property, and to other residents around them (see (Blomley 2004) for further discussion).

Property relations are typically regulated by the enforcement of property laws. Municipalities are increasingly entrepreneurial in their governance structures insofar as they cater to the interests of capital, and seek to ensure functioning markets and stable or rising property values (Harvey 1989). In many shrinking cities, property values have declined and legal property regulation is a low priority for municipal budgets that are strained due to decreasing tax bases (Beauregard 2009; Immergluck 2011; Pallagst et al. 2009). Urban decline has impacted cities in ways that undermine conceptualizations of property as a legally regulated, high-demand commodity that is a source of economic appreciation.

This chapter introduces the conditions of urban Detroit and explains how urban decline influence property relations. Declining cities share two main features: significant population decline and structural shifts that destabilize the city's economic base (Bernt 2015). In Detroit, four inter-related correlates of urban decline purport to alter dominant ideas about how property functions in the urban context. First, due to drastic population decline, there is a plethora of opportunity for illegal occupation and deconstruction of private property. Second, there is essentially no functioning property market in most neighborhoods. Third, the city lacks the resources to effectively oversee, maintain, and keep accurate record of property, which impedes the ability to protect property rights. And fourth, there is little risk of punishment for illegal appropriation because the state has few resources and little push to enforce property rights (and because authorities often do not want to enforce them). These conditions challenge conventional understandings of property as a mediator of social relationships that is regulated by law and/or economic incentives. Instead, property is still a mediator of urban social relationships but 1) the law's role in this mediation, and 2) explanations that rely on economic incentives to explain individual behavior with regard to property, are not necessarily accurate frameworks/narratives for explaining urban social phenomena.

Vacancy and Neighborhood Abandonment

Detroit's population decline has resulted in 78,506 blighted, vacant houses and buildings (Blight Task Force 2014),¹² and over 20 square miles of vacant land just owned

¹² This count refers to built structures "needing intervention" that fit the definition of blight according to Michigan law (Blight Task Force 2014:13).

by the city (roughly the size of Manhattan) within its 139 square mile footprint (Detroit Future City 2013:11; Orr 2013:88). White flight began a process of depopulation in the 1950s (Sugrue 1996; Steinmetz 2009) that has since left a city built for two million struggling to hold together with 688,000 remaining residents and a deteriorated built environment.

In cities like Detroit, many property owners seeking to leave the city are unable to sell because there is so little demand for property, and instead take a financial hit and walk away from their homes or businesses, leaving them to foreclosure by the bank if they had a mortgage or by the city for non-payment of taxes (Hackworth 2014:3). Within these conditions, profit-seeking landlords purchase cheap properties to rent out, but make few repairs and let them deteriorate over time (Akers 2013; Hackworth 2014; Mallach 2014). Homeowners who have stayed often find it hard to maintain their houses in the face of plummeting property values and a bleak employment environment (for general discussion of such conditions, see (Hackworth 2014; Salins 1980; Sternlieb and Burchell 1973; White 1986)). As a result, much of Detroit's housing stock is in poor condition, and empty properties are often completely decimated by scrappers who pounce on them within days or even hours of residents leaving.

At the street level, vacancy rates vary greatly from block to block and between different neighborhoods (for lucid description of some of these conditions see, for example, Millington 2013; Steinmetz 2008). More stable areas like Midtown or some parts of Southwest have few vacant houses or lots and look like neighborhoods in many other cities with older housing stock (though often this is an attempt by neighbors to maintain the air of occupancy in an effort to prevent further blight, see Kinder 2014). Other neighborhoods,

like those surrounding the city airport in northeast Detroit, look like a war zone (see images discussed in (Millington 2013)). The city lacks the funds to demolish all the decaying properties, leaving vacant, blighted houses littering the blocks and debris spilling out across overgrown, used-to-be sidewalks. The near east side or far northwest corner of Detroit are often referred to as “urban prairies” because the streets are empty except for a few remaining houses standing. In other neighborhoods, this kind of variation in vacancy is visible from block to block. What seems to remain regardless of the level of vacancy is a nostalgic desire for community and proximal human relationships, as though the connections between neighbors left with the auto-plants back in the 1970s (Steinmetz 2008). These conditions mean that there is a lot of left over, left behind, “interstitial” space in Detroit, and therefore a great deal of opportunity for illegal property appropriation.

The (Lack of) Property Market

Until recently, most urban scholarship has focused on or presumed conditions of growth: as more and more people world-wide have migrated to cities, competition over urban space has increased and property values have risen as well. Recently, especially post 2008, more scholars began to turn their attention towards the phenomena taking place in cities like Detroit. Here, vacant land is increasing and property values are much lower or still decreasing – to the extent where there is not much of a “market” for property. Detroit’s property values have fallen a staggering 77% in today’s dollars.¹³ Median sale price in September 2015 was 35 thousand dollars – compare to about 460 thousand dollars in

¹³ <http://www.freep.com/interactive/article/20130915/NEWS01/130801004/Detroit-Bankruptcy-history-1950-debt-pension-revenue>

Boston, or about 197 thousand dollars in Chicago. While more central areas near downtown or midtown Detroit have rising property values, a quick internet search shows more than five hundred properties for sale in the outlying neighborhoods for a mere \$500. What this means is that economic incentives attached to property ownership are reduced in Detroit, and that the state has little incentive to protect such low-valued property.

Overburdened and Underfunded City Authorities

The city of Detroit is drastically overburdened and underfunded, most clearly evidenced by it recently being the largest city to ever undergo bankruptcy (Farley 2015). This has increased the number of properties the city is responsible for, and decreased available resources to oversee and maintain these properties. Reduced oversight and maintenance contributes to the rise in cloudy property records and makes legal ownership difficult to ascertain, complicating the state's role in protecting property rights. There are several reasons for this, and these factors often overlap with other conditions.

---- Poor Record Keeping

Finding out who actually owns an abandoned property or vacant lot in Detroit can be surprisingly difficult. This is often due to antiquated and confusing processes surrounding city records and property ownership in Detroit. For example, many of the city's tax records are still kept solely on 3x5 index cards.¹⁴ The emergency manager, Kevyn

¹⁴ <http://www.freep.com/article/20140221/NEWS01/302220027/city-services-and-plan-of-adjustment>

Orr, recommended that the city “urgently” overhaul to their technology systems,¹⁵ since outdated methods are causing confusion and inaccuracy, and ultimately costing the city money (Orr 2013:73). This makes the benefits, liabilities, and responsibilities of legal ownership difficult and costly to figure out.

---- *Sub-Standard Title Transfers*

Incomplete or unclear records are also a result of the kind of property sales common in Detroit. A quit-claim deed is a common method used to transfer property in Detroit. Unlike warranty deeds more commonly used in real estate purchases, a quit-claim deed provides no guarantees of clear title on a property. Because no title-guarantee is offered, a title company is not required for the transaction and therefore laymen often use this method of property transfer. What this means is that in Detroit, the property seller does not have to prove that he or she has a clear property title to be selling – the seller may not even legally own the property or have any right to be selling it. Similar problems arise with land-contracts, where the buyer enters into an agreement to pay the seller increments over time until they have purchased the property. Adding to confusion, with the types of property transactions that do not involve a licensed realtor, title company, or other institution to oversee the process, property title transfers may never be registered with the city.

¹⁵ The City urgently needs to upgrade or replace the following IT systems, among others: payroll; financial; budget development; property information and assessment; income tax; and Detroit Police Department operating system (Orr 2013, 19).

---- Property Inheritance

Similarly confusing situations arise when a property owner in Detroit dies. Sometimes the heir to the property simply does not want the house and never takes possession of it (which would be almost unheard of in a location with high property values). Other times, a property owner does not have a will specifying to whom ownership of the property will be transferred. The property ends up in a legal-limbo situation called probate. This requires the state to determine the legal heir, but with a city government like Detroit's that is underfunded, a legal heir to the property may not be determined in a timely manner, if at all.

---- Small Tax Base; High Tax Rates

Detroit's tight budget is in large part due to decades of decreasing tax base as residents and businesses fled the city. Decreasing property values and fewer residents mean less revenue for the city,¹⁶ yet high tax *rates* that are generally double the U.S. average (Lincoln Institute of Land Policy and Minnesota Taxpayers Association 2012) mean remaining residents often find it hard to pay their taxes. Only 53% of property owners in the city paid their 2011 property taxes: the city was owed \$131 million that year (Orr 2013:81). The tax foreclosure process is supposed to take three years (for detailed discussion of tax foreclosure in Detroit see (Dewar, Seymour, and Drut 2014), but at times seven or more years may pass before the city takes possession. This lag means that a homeowner may think her property has been foreclosed and move out, but the city has not

¹⁶ From 2007-2010 alone, Detroit's average house value dropped 40 percent, and from 2000-2010 the city lost over 25 percent of its population (Hackworth 2014:23).

yet taken possession; or conversely that the city has foreclosed a property but the occupant is unaware or refuses to vacate. The properties transferred to municipal ownership via tax foreclosure are predominately worth less than the accumulated tax bills owed (Hackworth 2014:3). Because of this process, the city is the largest property owner in Detroit, owning over 65,000 properties. However, lack of funds and personnel often makes securing these properties difficult, and ensuring they stay boarded up and secured impossible – even the fire department is not always able to board up properties after a fire, as they are legally required.¹⁷

Diminished Property Law Enforcement

The city's tight budget means it is ill equipped to properly regulate and enforce laws designed to hold owners accountable for their properties. It is technically unlawful for homeowners to leave their properties open and unsecured. The city can issue citations to owners whose properties are a "nuisance," but the city rarely collects on these fines.¹⁸ City officials are legally permitted to evict squatters in city-owned property, but cannot afford the court fees. Police officers can cite or arrest property appropriators for violations like trespassing or vandalism, but seldom do so. The city's inability to adequately handle these issues means that property owners who walk away do so with little to no repercussions (see Hackworth 2014:23-24), and appropriators face little risk for their activities. But lack of funding is not the only reason property laws are not reliably enforced in Detroit.

¹⁷ Interview with Clarence, July 15, 2013.

¹⁸ There are \$50 million outstanding accounts receivable owed to the Buildings, Safety Engineering and Environmental Department (Orr 2013:82).

---- *Why Authorities Cannot Always Enforce the Law*

As is the case with the city government as a whole, the police force is severely underfunded and overburdened. Detroit's police force has undergone severe cuts in staff and funding, losing 40% of their manpower over the last ten years (Orr 2013:14). In 2011, Detroit only "cleared" 8.7% of reported crimes (Orr 2013:9).¹⁹ In 2012, Detroit was considered the most violent city in America, with the highest violent crime rate for cities with over 200,000 people and a violent crime rate five times the national average (Orr 2013:9). In 2013, the average response time in Detroit for "priority one" calls was 58 minutes (Orr 2013:13). Stories abound of citizens waiting two hours for police to respond to 911 calls, or of the police just never showing up. Detroit's police force is overwhelmed by high crime rates, underfunded, and suffers from low morale. They have experienced a high turnover rate of police chiefs – five in the last five years – and are forced to rely on aging and inadequate equipment. Officers report not being able to respond to 911 calls because available squad cars will not start.²⁰ These conditions mean that calls about illegal property appropriation in the city of Detroit are very low priority for police officers.

Property laws can also be difficult to enforce when legal owners are not reliably present. The laws pertaining to squatting are also confusing. If the police can ascertain that a person has broken into a property illegally, they can be charged with several criminal offenses, such as trespass, breaking and entering, or intent to harm. However, if a resident

¹⁹ For comparison, Pittsburgh clears 34.0%, Milwaukee 23.3%, St. Louis 23.5%, and Cleveland 11.4% (Orr 2013:9).

²⁰ Interviews with Isaac and Cedric, August 2, 2013.

calls 911 in Detroit to report that someone has illegally broken into a vacant property, it falls into the category of low-priority because it is not life threatening. Most often, the police are not able to get to the scene of such a break-in quickly enough to ascertain that the individual entered without permission and is therefore trespassing. If a squatter has the chance to set up residency – which may include, for example, moving in personal possessions, having mail sent to the property, or having the locks changed – then the police cannot immediately prove that a break-in has happened nor ascertain that the person is occupying the property illegally.

Without the ability to judge whether or not an occupant has broken into a property or entered without permission, the issue becomes a civil matter. Only the legal owner (or agent of the legal owner) of a property can try to evict an occupant through civil court. Given that many owners of vacant properties have given up and walked away from them, it makes sense that they are not willing or interested in spending the time and money to go to court and pursue an eviction. And the city does not have the resources to evict illegal occupants from city-owned properties either.

Lack of funding and resources is a partial explanation for why city authorities do not reliably enforce property laws. Quentin, who oversees thousands of city-owned real estate, says that he no longer has the resources to ensure that every property the city takes possession of has been vacated and properly secured. Regarding his job he said, “I mean right now it’s an impossible task. You just, there’s not enough money, there’s not enough resources, there’s not enough people. We just basically put out fires now. [short laugh] I mean that’s it.” Because of constrained budgets and a high volume of city owned properties, calls made to the city to report squatters or other forms of illegal property use are very low

priority. Quentin explained there is little he can do even when he finds out there are squatters in a property:

But now we don't have any money for evictions anymore, so I mean we can try and rob Peter to pay Paul and worst-case scenario when people are just really out of control in the neighborhood I'll evict somebody every now and then, but for the most part, there's nothing we can do.

Quentin expressed the fact that he simply does not have the resources needed to do his job. Similarly, Clarence, a firefighter and Detroit resident, explained that the police are often unable to respond. He stood behind the bar in his basement and comically acted out what would happen if he tried to involve the police with a scrapping incident. He held up an imaginary walkie-talkie to his mouth:

- Uh yeah Central Office this is Squad 5... I got a scrapper right here... He's yanking everything off this house and putting it in a god damn grocery cart... Will you please send me a scout?

- Squad five we have no scout available... is there any danger to the citizens in the area?

- Uh, well the citizens are sitting here smoking cigarettes and having a beer with - (the scrapper)... there's no danger.

- Squad five please stay the fuck off the radio until you get a good run.

Clarence set down his imaginary radio and looked at me and laughed, then said seriously, "Yes ma'am, you're not going to get any help... nobody's going to, I'm sorry."

---- Why Authorities Do Not Always Want to Enforce the Law

While constrained budgets and resources are certainly a pervasive issue for all city employees trying to effectively do their jobs, it's not the only factor preventing authorities from intervening. Frank, a police commander and Detroit resident explained:

It's just that nobody really cares, so they don't worry about it you know... I mean really, if I had the resources... if I had more police than I have, if all of a sudden I had like a 30 percent increase in police resources... I certainly wouldn't use them to go in there and encumber people to tear down urban farms and gardens on a technical violation of ownership you know.

Another city employee, Dean, who manages the city's 40,000 vacant lots finds himself similarly constrained by inadequate resources but also believes that taking over vacant lots can keep residents in the city precisely because it deters negative activities from taking place on their block. When speaking with a resident who wants a lot that is not available for purchase, Dean explained, "I tried to couch it in terms like, 'I don't suggest this and this is not legal, but some people have just fenced in the lot... and I can't recommend that you do that, but you wouldn't be the first one to do it... But I didn't tell you to do that and that would be illegal'." Rather than try to enforce the law at all costs, Dean encourages use of vacant lots because he believes it is more beneficial for the city.

Another key point to consider with respect to how Detroit police officers and other city authorities respond to illegal property appropriation is that most of these officials are also Detroit residents. They know all too well how difficult the conditions of life in Detroit can be and have dealt with illegal property appropriation in their neighborhoods. As one police officer told me, "You're going to have squatters, might as well be good ones."²¹ Frank and other authorities recognize that the illegal use of property can benefit the city and consider such benefits more important than the legality of the practice.

²¹ Interview with Cedric, August 2, 2013.

Property Relations in Detroit

Theoretical and empirical explanations regarding the outcomes of private property ownership presume that enforcing property rights is a high priority for authorities and that property ownership is an economic (and sometimes emotional) investment (see Chapter 1 for detailed explanation). But these presumed conditions are likely not the same in declining cities, if even reliably present at all, because the common features of declining cities impact the protection of property rights, the enforcement of property laws, and destabilize functioning property markets. Bernt (2015:3) reviews varied definitions of urban decline in urban scholarship, and explains that all of them include population decline, “macro-trends in urban development” such as suburbanization or economic shifts, and an associated host of urban problems that vary in degree and form depending on local context.

These common features of urban decline mean fewer jobs and a smaller population, which reduces demand for property (housing, commercial and production sites). These factors can reduce tax revenue, which multiplies the burden on municipal agencies responsible for overseeing and maintaining more and more vacant properties. Constrained budgets exacerbate the impact of informal or even illegal property sales (which likely increase as property values decrease) because municipal actors cannot keep track of legal property owners nor hold them liable. Lack of economic opportunities in the city means more economically unstable residents who rely on informal tactics for meeting needs, like squatting or scrapping. Yet decreased budgets constrains the ability for authorities to regulate the increase in these activities and enforce property laws. Property’s exchange value declines and the market for property deteriorates because of lack of demand.

The state lacks the resources to create conditions that support a market for property, e.g. enforcing property rights or offering incentives for investors. The state's inability to reliably and effectively protect property rights further undermines conventional understandings of property ownership: owners cannot be guaranteed their right of exclusion over property, its resources, or benefit stream. Informal uses increase, and so do informal regulatory regimes by residents. Yet despite a collapsed property market and inadequate property law enforcement, state strategies for improving neighborhoods in Detroit still privilege private, legal ownership: municipal authorities seek to sell off vacant property, presuming that legal owners are better for neighborhoods than non-owners (or illegal users) and that private ownership leads to investment and thereby benefits the city (Akers 2013; Dewar et al. 2014; Hackworth and Nowakowski 2015; Hackworth 2014).

Property laws are designed to protect legally defined use values for owners (benefits such as privacy and freedom, purposes such as home or business) and the exchange (or market value) of property. In conditions of stability or urban growth, there is congruence of value-systems and regulatory-systems. One way of thinking about what has happened in Detroit is that this congruity of value-systems and regulatory-systems has eroded. Andrew Herscher (2012) argues that property in Detroit has value as "unreal estate," whereby "urban territory has slipped through the literal economy... and entered other structures of value, including but not limited to those of creative survival, exploration, play, desire, escape, and imagination... [and becomes part of] other value regimes," (2012:20). Its value to residents and role in social relationships is not determined by exchange value or legally-defined use values – instead, alternative use values come to the

fore and become more significant to residents. The privileged normative status of private ownership is also reduced, as private owners are increasingly absent from the landscape and/or are actually blamed for many of the problems created by blighted and abandoned property. This dissertation continues on to examine these altered property relations: the informal ways that residents regulate the non-legal “right” to property; the various use-values that become prominent for residents; the non-legal factors that influence property relations; and the impact that formal property regulation will have for these informal, alternative property relations.

In short, there is reason to believe that urban decline impacts property relations because the conditions that protect property rights and the economic value of property are absent or reduced. Property theories and empirical studies of property-related outcomes implicitly or explicitly presume these conditions to be present. But when these conditions are absent or reduced, as is the case with declining cities, we cannot expect property relations to have the same observed outcomes. Instead, this project finds that residents informally regulate illegal property use; that property is claimed for various use-values not reflected in property laws; that non-legal factors influence the meaning and function of property; and that certain forms of illegal property use are more easily translated into legal ownership than others, resulting in a previously unconsidered mechanism for exacerbating urban inequality.

Chapter 3

Grassroots Property Regulation

Private ownership is the dominant form of property regulation in the urban context, fueled in part by the pervasive narrative that the economic incentives of private ownership will ensure maximum care for property and thereby provide a social good. The perceived benefits of property ownership are not only ideological: research finds that homeownership improves neighborhood stability. Bolstered by ideological commitments (Goetz and Sidney 1994; Rollwagen 2014) and empirical findings (Dietz and Haurin 2003; McCabe 2013; Rohe and Stewart 1996; Rossi and Weber 1996), private home ownership dominates the state's strategy for regulating neighborhood conditions. Previous research suggests that residents of distressed neighborhoods would remain committed to private ownership in order to improve both the physical and social conditions of life in their neighborhoods, and condemn practices that violate this revered relationship.

Despite these ideological commitments and empirical benefits, residents of distressed neighborhoods in Detroit often accept and/or advocate for the presence of non-owners such as squatters or scrappers, inviting in illegal property use that violates highly valued property rights. Here, many people squat houses for shelter, garden on vacant lots or fence them in for personal use, scrap metal and other saleable or useable materials from derelict buildings or even tear them down, all without the permission of the legal property owners. Rather than indicating widespread apathy or social disorder (Wilson and Kelling

1982), residents support and encourage certain forms of illegal property use in order to improve the conditions of their neighborhoods.

This chapter first explains why residents do not invoke the dominant legal regulatory regime to improve their neighborhood conditions via private ownership. They neither involve authorities to regulate property use, nor do they take the law into their own hands to enforce property laws. Second, this chapter explains how residents alternately adjudicate the non-legal “right” to property using a community-embraced norm rooted in an ethos of care towards property and community. Just as prior research finds that private homeownership improves both physical and social conditions of neighborhoods, the ethos of care requires that appropriators demonstrate solicitude to both the property and community in order for their practices to be accepted. These findings suggest that the ability for dominant models of property regulation to positively impact neighborhood stability is in part due to the existence of certain legal and economic conditions. In the absence of these, neighborhood stability and overall health might be more usefully brought about through alternative property relations rooted in positive obligations of care.

Property and Neighborhood Stability

Research on neighborhood conditions finds that private home ownership improves neighborhood stability and overall health in a number of ways. As a complex form of investment, property ownership has both economic and emotional dimensions (Becher 2014). Property owners invest by purchasing and maintaining their properties (and for most Americans homeownership is their most significant economic investment (Pattillo 2013)). Owners are more likely to maintain properties than renters, thereby improving the

physical environment and reducing visible signs of disorder (Dietz and Haurin 2003; Galster 1983, 1987; Taub et al. 1984) Property owners stand to benefit personally and financially from property maintenance and upkeep (Haurin et al. 2013; Rohe and Stewart 1996).

The emotional dimension of investment is heightened for property owners who reside in (owner-occupants) or who regularly use (business owners, for example) their property over landlords who rent land or property to others (Friedrichs and Blasius 2009). Having a stake in the place of which their property is a part links homeownership with increased engagement in community organizations (DiPasquale and Glaeser 1999; Harkness and Newman 2002; McCabe 2013; Rossi and Weber 1996). Homeowners are also more likely to get to know and positively interact with their neighbors (Fischer 1982; Rohe and Stewart 1996; Sampson 1991) and to reside in the property longer (Dietz and Haurin 2003; Friedrichs and Blasius 2009; Green and White 1997; Rohe and Stewart 1996).²²

Research also finds widespread ideological commitments to private ownership in everyday discourse. For example, recent scholarship documents the pervasive belief among neighborhood residents that only the financial investment of private ownership could evoke practices that demonstrated maximum concern and care for the property and overall quality of the neighborhood (Goetz and Sidney 1994:331; Rollwagen 2009). As an economic and emotional investment, private ownership positively impacts the ways and extent to which residents care for property and the neighborhood. But in a context like

²² Rohe and Stewart (1996:39) explain that neighborhood health might be a more appropriate term to use, because many revitalization programs seek to change neighborhood dynamic for the better and improve them, rather than stabilize their current conditions. I continue to use the term “stability” as it is most common in the literature.

Detroit, property is often more of a liability than an economic investment, and property rights are not reliably and effectively protected by the state.

Property and Urban Decline

A declining city like Detroit provides the opportunity to study property relations when the influence of legal and economic regulations is absent or reduced (see Chapter 2). Tight municipal budgets and widespread neoliberal off-loading of service provision in urban centers has influenced a rejuvenation of do-it-yourself, interventions concerned with improving the quality of urban life (Douglas 2014; Talen 2015). In many cities, including Detroit, these interventions often pick up where the government leaves off (Eisinger 2015; Kinder 2014). Residents maintain or improve city-owned property and construct elaborate neighborhood watch and alert systems to deter crime in their neighborhoods. Based on this prior research we might expect that residents in my study would take on the government's role and try to enforce or regulate legal ownership on their own. But rather than taking on the state's role and enforcing private ownership via DIY or guerilla tactics, residents in my study frequently accept or advocate for illegal property use in their neighborhoods.

Illegal Property Use: from Illicit to Informal

The law acts as a moral barometer, such that illegal practices are predominately illicit. But when illegal activities gain legitimacy among a social group or sub-culture, scholars often define them as *informal* activities (Castells and Portes 1989). One way this is achieved is when actors pursue illegal methods for legitimate ends (Webb et al. 2009). For example, squatters who are viewed as "deserving" housing provision by the state are

considered justified (like families with young children who would otherwise be homeless) (Pruijt 2013). Informal economic activities can gain legitimacy if they are in line with dominant narratives about personal work ethic and self-sufficiency (Gowan 1997). Put another way, squatting is an extra-legal way of creating a home; and metal scrapping or recycling are modes of work or income generation (Edin and Shaefer 2015; Gowan 1997) – the goals of home or work are legitimate ends to pursue. Property is implicated in these various informal practices insofar as actors illegally use or occupy property (broadly speaking). But these studies speak more to the informal normativity of work and home than property qua property. What kinds of property use are considered “legitimate” such that they achieve a measure of acceptance among residents in Detroit?

In Detroit, I find that residents use an alternative regulatory schema to improve their neighborhood conditions: one that rejects the necessity of private, legal ownership, but still embraces an ethos of care for property and community. Rather than enforce the law on their own, residents accept or advocate for illegal property use that is in line with the normative assumptions about property ownership: that owners will care for property and improve neighborhood conditions. Illegal property use gains a level of acceptance among residents of very distressed neighborhoods when the *ends* align with dominant expectations about property outcomes – i.e. that property users should be expected to care for the property and contribute positively to the community. Next, this chapter explains how this inversion is rooted in the conditions of Detroit, and then subsequently details the ethos of care and how residents apply this ethos to adjudicate illegal property use in their neighborhoods.

Inverting the Ownership-Care Nexus

The conditions of Detroit (see Chapter 2) create vast opportunities for illegal appropriation of private property that has overwhelmed an already underfunded municipality. Illegal property use is a low priority for local law enforcement and city officials. What these conditions mean for residents and property appropriators is that the law does not act as a useful or relevant arbiter of the kinds of property use that harms or helps a neighborhood. Residents do not get much of a response if they do try to invoke authorities, and they know that officials are unlikely to punish property appropriation that benefits the community. As Henry, a Detroit resident and urban gardener explains, “(T)here’s no sense of the law to enforce it... And there’s no sense of law so it doesn’t seem illegal... it just seems as another option for something you can do.” In this context, resident witnesses rarely invoke the law to regulate private property, and appropriators are confident they will not be penalized.

---- Harmful Homeowners

The hegemony of private property in the U.S. is bolstered by the belief that private ownership ensures responsible care for property and thereby benefits society. The inconsistency of this narrative is experienced daily by residents of cities like Detroit. The blight and vacancy that property owners have left behind in Detroit has several pernicious effects for remaining residents. First, residents who have lost their neighbors are often desperately seeking community and neighborly presence. Clarence, the firefighter, says regardless of the legality just “give me a good neighbor... It’s better for the neighborhood... to have more presence and he’s maintaining the property.” Because city service provision is

so poor, and police and emergency medical service (EMS) response times are so long, residents often rely on each other for rides to the hospital or for watching and securing their block. As one resident explained, “I mean, I would call my neighbor before I’d call the cops because he could be there a lot quicker and I’m sure he’s got a gun.”²³ Didi, a homeowner who has taken over several vacant lots to create a wildlife sanctuary, says of the increased presence of illegal gardening in her Eastside neighborhood: “I don’t think there’s any negative thoughts about it for certain because it was really quite bad. It was really very, very down and when people started moving in and farming, it just... did good for the neighborhood.”

Second, high levels of vacancy mean more interstitial spaces where undesirable activities take place. Frank, the police commander, said these happen,

All the time. Anywhere from little nuisance issues like knowing that a particular house is a smoke house where the... crack heads go to use their dope, to where its being sold out of a particular location, to where it’s sporadically being used... in attacks on people... so there’s a variety of bad things that can happen in an abandoned property... Dumping trash, you know it starts out bad and sometimes it attracts other negative issues...

In Detroit, property owners (including the city) have abandoned their properties, leaving behind high level of vacancy, blighted properties, and a gutted tax base. As a result, residents are angry with and blame the property owners who have long since abdicated their responsibility to not only their properties, but to the city as a whole.

²³ Interview with Carlos, March 14, 2014.

---- *Grounded in Care: Justified Property Appropriation*

Those who violate property laws are predominately conceived as criminals or thieves. Conversely, property owners might be considered victims of the deviant criminal activities of squatters or salvagers – people who knowingly and purposefully commit theft, vandalism or trespass in order to appropriate property that does not belong to them. However, in Detroit the moral directionality of these actions is inverted. Because residents are angry with and blame the homeowners who have long since abandoned not only their properties but the city as a whole, space is created therein to view residents who appropriate these properties as morally blameless. Not only are illegal property appropriators not necessarily denigrated for their actions, but if they demonstrate care and concern for the property and the neighborhood, then their actions begin to fill some of the spatial and social holes created by negligent homeowners.

Ted, who lives in a neighborhood with a lot of squatters and urban gardeners laughed when I asked if he would ever involve the police with regard to these activities. “No. No,” he said, “I’m really happy to see that type of thing is going on... versus car chases, men chasing women down the street... all type of crazy stuff was happening over there so I would rather see [squatting and gardening] than anything else.” Ted and other residents find that the increased neighborly presence can deter other negative activities. In a separate interview, Ted’s girlfriend Ashley echoed a similar point:

[Vacant properties] give the dope dealer a chance to find him a house to sell out of... If somebody going to jump in [and squat], let them jump in... that’s more eyes around the city... if more of these abandoned houses was taken over, the less chance of something to happen because its more people that *seeing*...in their neighborhood.

Remaining residents in Detroit want good neighbors who care for their properties and contribute to the community. But invoking the law to protect and enforce ownership does not make sense because it is precisely these owners who have harmed the city, and given the strained budgets of municipal authorities, it is also futile. Instead, residents renegotiate the “right” to property in a way that is most useful in the immediate: rather than viewing ownership – a legal right to a property – as a necessary condition for evoking responsible care, care becomes a necessary condition for the non-legal right to appropriate property. Residents in Detroit invert the dominant relationship between ownership and care, and justify the (non-legal) right to property appropriation in what I call an *ethos of care*.

The Ethos of Care: Assessing Property “Rights” via Neighborhood Impact

In Detroit, squatters might care for a property by fixing it up, cutting the grass and keeping garbage off of the lawn. Blotters and gardeners might plant gardens, flowers, or build a fence that deters illegal dumping. Deconstructors or scrappers might burn or tear down a dangerous property that concerns residents. They might improve other areas of the block by using materials from a blighted, vacant home: bricks from an old chimney repurposed as a fire-pit for neighbors to enjoy, or a bench made from scrapped lumber.

Residents in my study use an ethos of care to assess the normativity of property appropriation despite the illegality of these practices. This ethos of care is a loose set of normative ideals about how one ought to relate to property and other residents, that characterizes and guides the community. The illegal appropriation of private property is considered to be ethical, appropriate, beneficial and even necessary so long as

appropriators demonstrate care and concern towards the property and the community. That is, so long as the appropriator enacts the role predominately associated with private ownership (i.e. care), they have met the requirements for just appropriation and residents will accept and even advocate for their presence.²⁴

This ethos of care exists between and among appropriators and residents: appropriators “offer up” care in part because it is central to their own justificatory narrative for illegally using private property, and in part because embracing an ethos of care is a tactic they employ to aid in the longevity of their practices by smoothing over any opposition and gaining residents’ support. Residents at the same time “require” care from appropriators in exchange for their support, so that residents do not mount opposition to illegal property appropriation in their neighborhoods. This dynamic is evidenced in the following quotes from a homesteader and his neighbor.

Allen illegally occupied a house²⁵ and farms a dozen adjacent lots. Selling his produce at farmers’ markets provides him just enough money to scrape by. He interprets his illegal actions, saying: “I felt no harm in (taking the house), I feel no harm in taking these lots and doing something great with them... You’ve lost your rights, sorry, but you know if you’re not going to take care of your property, it’s not yours anymore.” Allen feels

²⁴ There were four resident witnesses in my interviews who did not express perspectives that support the ethos of care. These residents all lived in different areas of the city that were relatively stable, with few vacancies and higher property values. Rather than disconfirm my argument, this supports the significance of local conditions for the way that property appropriation is justified.

²⁵ I interviewed Allen shortly after he had legally purchased his house at the county property auction after he had lived in it illegally for nearly a year. He continues to illegally farm the adjacent lots.

justified in appropriating the property because he demonstrates stewardship, something the legal owner was precisely not doing.

When asked how she felt about Allen squatting the house next door in a separate interview, his neighbor Ashley replied:

If it was me, I probably would've did it too... because what was going to happen to that house? Nothing... So my thought was, it's really making it better because we don't need all these abandoned houses. So much is happening, people being found (dead) in them so that was actually a plus... because I don't have to worry about staying next to an abandoned house. Somebody is in there and he's a nice neighbor you know. If I had a problem I could knock on his door – hey I need help, you know, he's there.

Ashley counters Allen's (illegal) presence with the absence that would have otherwise been: his presence helps overcome some of the challenges she and her neighborhood face due vacancy and blight. Being a good neighbor, then, is part of how Allen secures the ability to occupy his property and make a living from farming.

As a rubric for assessing illegal appropriation, this ethos of care takes two forms: requiring care and neighborly presence for occupation, and requiring that deconstructors enact care by making the neighborhood cleaner and safer, and not further damaging properties. Just as prior research finds both physical and social benefits of homeownership in neighborhoods, this ethos of care requires fulfillment of both physical and social obligations.

---- Non-Legal Occupation

When assessing forms of property appropriation that involve occupation (like squatting or urban gardening), resident witnesses' primary concerns are not the legality of the activity. Instead, their main concern is if the occupier is fulfilling an ethos of care by

productively using and caring for the property, contributing to the community, and refraining from negative activities (like shooting guns).

Resident witnesses Paul and Violet told me about the squatter who used to live across the street from them. Paul gestured towards the house and explained, “that house was occupied by a man named Fred when we got there. Fred was a squatter... he was a good neighbor. If you needed something, he’d be willing to help you, he was quiet, he took care of business...” When the legal owner died and her heir wanted to move into the house, Paul said, “I was sad to see him go, and the people who moved in were good for nothing homeowners... they’ve been a problem ever since they’ve been in the house.” For Paul and Violet, the legality of occupation was not primary, but rather that Fred upheld the two components of this ethos of care: he cared for the property because he “took care of business” and contributed to the community by being “a good neighbor” who was “willing to help you.”

An integral part of this ethos of care requires that occupiers refrain from engaging in undesirable activities. Henry, a young Detroit resident who grew up in the suburbs, describes this requirement:

Now if they’re engaging in criminal activity... then I have a problem with that. Like as soon as I have gangbanger kids coming through or like, you know, they’re stealing the copper out of that house... then there’s a problem.... But if your goal is to just find shelter, find a home and go with the motions and like live and develop the home and be, uh just take advantage of the space that you have, then I think that’s good, you know.

A squatter named DeAngelo echoed a similar perspective when speaking of squatters:

(I)f they ain’t got a place to go, if there’s a house that’s just there... they shouldn’t have no problem with it you know as long as there ain’t no drug selling... chaos... fighting and you know cutting up... I don’t think there

should be no problem... if you going to try to fix the house up or something like that...

DeAngelo holds occupiers like himself accountable to an ethos of care by requiring a social obligation - no “cutting up” – and a physical obligation – that they “fix the house up.”

Squatting on vacant lots is supported and encouraged if the practices signal investment in the community. Henry explains: “So there’s this idea of changing a space (where) the lawn is super tall and you’re pulling syringes out and you’re turning it into a garden and you’re mowing the lawn and planting flowers and... verifiably making the space better.” Improvements to vacant spaces impact the neighborhood by cleaning up unsightly blight, but sometimes also because appropriation is intended to be used by the whole community, whether it be a garden or the creation of a park-like space. Frank, the police commander, said: “It’s a positive use of the land... If a neighbor... decides ‘well I’m gonna cut the grass next to me’... and he cuts it and puts a picnic table and a swing set on it, I just can’t get mad at him you know?”

Property appropriators know that enacting care is what other residents who witness their practices will require of them. Therefore, adhering to the ethos of care is also a tactic appropriators use to help them carry out their illegal practices. John recalls an interaction with a neighbor when he and his friend Rob first started squatting:

I think it would be different if I were in here like dealing crack or something, it might be a different response you know. One neighbor... pulled up and was like, ‘What are you guys doing in here?... Are you squatting?’ I said, ‘Yes we’re squatting,’... And she was like, ‘Well thank you for being honest, are you selling heroin or crack?’ and I was like, ‘No, we’re not selling heroin or crack... we’re going to fix it up,’... and she’s like, ‘Okay,’ and then drove off.

By asking if they were going to deal drugs, this neighbor sought information that helped her assess what kind of presence John and his friend would be in the neighborhood. By

telling her that they were going to fix up the house, they conveyed that they would be caring for the property and intended to have a positive influence in the neighborhood.

---- *Non-Legal Deconstruction*

The requirements of this ethos of care are more stringent for deconstruction practices, such as salvaging materials from empty properties or burning down blighted houses. Like occupiers, deconstructors must demonstrate care, but this comes in the form of not further damaging properties that could be easily restored and used again.

Deconstructors enact care when they clean up and salvage materials from a property, or when they burn or tear down blighted, dangerous houses to get rid of a neighborhood hazard. Again, there is both an obligation to invest in the physical environment (by cleaning it up), as well as the expectation of positive social impact (by making it safer or more beautiful).

Deconstructors who salvage usable resources or who scrap saleable materials from a house that is already decayed beyond repair are adhering to the ethos of care. First, salvagers are considered justified because often these materials are put to good use to improve other parts of Detroit, commonly nearby if not on the immediate block. Many residents who salvage do so from spaces very to their homes. They watch properties over time and gain a sense of when a property has “tipped”²⁶ beyond repair, or when it is clearly no longer maintained or utilized by the legal owner, thus allowing them to adhere to this ethos of care if they choose to salvage materials from it. Old tiles may be re-used to

²⁶ See Kinder 2014 for a similar discussion of a “tipping point” with regard to vacant properties.

improve someone's bathroom or bricks re-purposed to outline a pathway through a resident's garden. Second, salvaging puts to good use the ruins of the city left behind by negligent property owners. Rather than ending up as trash if and when a blighted property is finally demolished, salvagers and witnesses extol the virtues of recycling the city.

Fern, a homeowner in a very blighted neighborhood, says he and his wife were able to rehabilitate their dilapidated house almost solely by using salvaged materials. He reflects on the boundary between harming and caring: "I feel better about it once the house is down and I'm like, okay I made the right decision. You know like I don't want to be stealing wood from a house that's going to be saved, but if it's clear that it's not going to be... I think I'm saving it from being demolished." Fern thinks it's better to utilize salvageable materials before they are demolished by the city and thus wasted. One homesteader used the words "save", "reclaim" and "recycle" throughout his interview to talk about salvagers who take left-behind metal from buildings or wood from old houses. Jackie, who squats with her 20-year-old son, occasionally scraps materials for income.²⁷ She expresses the belief that they are helping to clean up their neighborhood, saying, "Who wants to look at all the shit, you know what I'm saying?... I think we're doing the city a favor personally." Salvagers and scrappers who adhere to this ethos of care benefit the neighborhood by helping to clean up the blight, and by using salvaged materials to improve other houses or lots.

Deconstructors who demolish blighted properties demonstrate care for the community by making the streets safer. Many blighted houses are opportunities for

²⁷ In my research, "salvagers" refers to people using materials for personal projects, whereas "scrapping" refers to people selling materials at scrap yards. Scrappers can adhere to the ethos of care (and many do), but the broad conceptualization by participants in my research is that scrapping is "bad" and salvaging is "good."

unwanted criminal activity, are structurally precarious, and left wide-open and easily entered by curious passersby or neighborhood children. As such, when deconstructors tear or burn down blighted structures, they care for the neighborhood by protecting residents from potential harm. Lamar, a resident who started helping his neighbor tear down a blighted home on his block fifteen years ago and continued this practice ever since said:

I feel what I'm doing is right; it's helping the neighborhood and it's keeping kids safe... They won't be able to go up in them houses and then falling through the floors or the house caving in, because they don't know no better. They see something like that as a playground.

There is an informal boundary operating that elucidates the tenets of this ethos of care. Once a property has decayed due to neglect by the owner or has been torn apart to such an extent that the likelihood of someone rehabilitating the property is nil, then deconstructors are considered to be *caring* for a property by recycling salvageable parts or demolishing it. William, an artist who salvages materials to use in his art explains how the boundary between care and harm influences his practices:

Well most of the houses that I go in are already ransacked or... I guess if I went into a house that didn't have evidence of scrapping or didn't seem clearly abandoned, I probably wouldn't take anything, you know?... Right, or it's just you know like; oh well it caught on fire and they haven't been back in three years or you know the downstairs is wasted and the windows are smashed up, but there's still some stuff in the attic; like I'll pretty much take anything then... It's, it's long been neglected...

Didi, a homeowner who blots several lots adjacent to her house explains how she perceives this boundary with respect to the materials she had recently salvaged from a nearby home:

It's different when they are stealing, you know, the electric wires and things like that, or... somebody's bought a home and they're trying to fix it up – that's different. I don't like that. I'm saying if it's something that is already in bad shape and its half broken down, you know why not go get bricks or a few things that you need?

The conditions of Detroit complicate the relationship between homeownership and neighborhood benefit. Here, residents do not rely on increased homeownership as a strategy for improving their neighborhoods, because in their experience ownership does not necessarily beget the kind of responsible care they seek. And, conversely, responsible care can be found among illegal property appropriators. Thus, instead of championing the dominant legal relationship to property in order to improve the conditions in their neighborhoods (that is, instead of looking for owners to care) they look for care to determine the (non-legal) “owners” - the justified appropriators of property.

---- Unacceptable Property Appropriation

There are forms of property appropriation that do not conform to an ethos of care. Most commonly, scrapping as “theft” has had a widespread negative impact on the city, and residents are outspokenly vehement about the problems scrapping has caused. Scrappers who do not adhere to an ethos of care harm properties that are still being used, or that are intact enough that they could be used again. One resident who runs a non-profit in Southwest Detroit has had his organization’s fence stolen, the gutters torn off their facility, and their heating units ripped from the roof.²⁸ Another resident told of the air conditioning units stolen from the Department of Human Services office in Northwest Detroit.²⁹ Other residents fear leaving their home empty to go on vacation because scrappers might break in and do thousands of dollars worth of damage pulling copper pipes from the walls or the aluminum siding off of their home. Scrappers who steal from houses that are still lived in,

²⁸ Interview with Boris, October 24, 2013.

²⁹ Interview with Lamar, November 4, 2013.

from businesses that are still in operation, or churches that are still used are considered one of the biggest problems facing Detroit.

In seeking to address illegal property appropriation that does not fulfill an ethos of care, residents employ a variety of tactics to try to remove unwanted squatters from their neighborhoods or deter harmful deconstruction practices. Residents may hang curtains or holiday wreaths in empty houses to make them look occupied, or park their car in the driveway of a vacant home. In one neighborhood in my study, residents had constructed a text-alert system, so that they could try to intervene when unwanted scrapping was taking place nearby. If squatters move into a property and are not upholding an ethos of care, residents may call the utility company to try to get illegal hookups shut off and make it harder for squatters to remain. They may try to track down the legal owner of the property to request that they evict the squatter (which is usually unfruitful). Residents may also board up houses they feel should be preserved in order to deter scrappers.³⁰ Or residents may directly confront appropriators and explain “the rules.” One police officer I interviewed told me about confronting a few young squatters who moved onto his block: “I went down there and told them, ‘Why you in the house?’ And they said, ‘oh we renting the house,’ ... but I said, ‘I know you don’t because... the bank owns it (and) you got illegal hookup, but I told them to cut the grass.’” And now? “They’re cutting the grass,” he told me with satisfaction.³¹

³⁰ For an in-depth discussion of such practices in Detroit, see Kinder 2014.

³¹ Interview with Cedric, August 2, 2013.

---- Alternative Perspectives

There were four people I interviewed who expressed alternative views and did not explicitly support illegal property use in their own neighborhoods. The local context is significant for understanding these alternate views. These residents all lived in (relatively) more densely populated blocks, including in Hamtramck and several historic districts in the city. Their property values are higher, and they have a hope for increasing value in the near future. Authorities are also more likely to intervene in these areas: Hamtramck is a 2-square mile city within the bounds of Detroit that has its own police force, and these historic districts often pay private security companies to patrol their neighborhoods. For these four interviewees, the legal and economic regulation of private property is more influential than in other areas of the city.

Interesting, these perspectives vary across neighborhoods and are flexible. One of these interviewees, Ms. Fine, recently moved to her (more) stable neighborhood after she was the last remaining resident on her block in a southwest Detroit neighborhood. She supported the idea of useful or constructive illegal property use in her old neighborhood, but not her new one. Another resident, Nina, while refuting any constructive dimension of illegal property use on her own block, frequently helped to board up, paint, and clean up vacant properties in adjacent areas with much higher levels of vacancy – engaging in de jure illegal property use herself in an effort to improve the conditions of her neighborhood. These examples illustrate the influence of local context for understanding under what conditions residents accept or condone illegal property use in their neighborhoods.

Conclusion

The collapse of the housing bubble, foreclosure crisis, decreased populations in declining cities, and the flood of distressed homes on the market in recent years have shifted the dynamics of property markets. The resulting abundance of vacant, low-valued property, often in dilapidated condition, calls into question dominant understandings of property ownership as a source of investment and stability for individuals and neighborhoods. In distressed cities like Detroit, where the economic and legal incentives that regulate property relations are absent or weak, private property ownership is neither a necessary nor sufficient prerequisite for evoking what prior research and popular belief claims it is supposed to do: ensure responsible care for property and thereby benefit the community.

Rather than adhering to the notion that only homeowners will improve their neighborhood conditions, residents in my study practice the “right” to property in a way that allows them to intervene and positively impact the conditions of their neighborhoods. Instead of relying on legal property owners to responsibly care for properties and contribute to the neighborhood, residents assess the ethos with which appropriators relate to properties regardless of legal status. That is, residents look for the hallmarks of responsible ownership as a way to assess the non-legal right to property.

This can be understood as a grass-roots form of property regulation: a creative, pragmatic intervention into the harsh conditions of daily life in a city plagued by population decline, a legacy of racism and segregation, vacancy and blight, underfunded bureaucracy and a dearth of economic opportunities (Sugrue 1996). But illegal deconstruction and occupation are also dangerous, unstable, piecemeal responses to

undesirable structural conditions and should not be viewed as “solutions” to the problems residents encounter. This research does not support a laissez-faire approach by city authorities to the problems that plague urban neighborhoods, presuming that residents are effectively managing them through guerilla or DIY interventions into the urban environment. Instead, the way that such a finding might be most valuable is in thinking about how these everyday practices for improving neighborhood stability model a way of regulating the right to property that is most useful for addressing neighborhood health and vitality in cities like Detroit.

This chapter does not claim that previous research linking homeownership with neighborhood benefits is invalid. Instead, the adherence to this approach as a state or municipal-backed strategy for improving neighborhood conditions might not extend to all types of neighborhoods. In the context of urban decline, we cannot expect property ownership to be related to neighborhood benefit in the same way. Absent from neighborhood stability literature is the detrimental effect that homeowners have had for neighborhood stability and health in declining cities – white flight harmed neighborhoods across the country. As precipitators of the adverse, unstable conditions now found in these declining urban areas, we cannot now rely solely on private property ownership to solve these problems. Instead, this research suggests that the link between private ownership and neighborhood stability is influenced by local conditions, such as property markets. In declining cities, adjudicating the right to property might be most beneficially rooted in positive obligations of care toward the property and the community. These findings suggest the importance of conceptualizing different models for improving neighborhoods that are responsive to local conditions. Urban researchers should consider the way local

conditions impact the utility of private ownership as a useful and beneficial way to organize urban space.

Chapter 4

Informal Property Claims for Alternative Use-Values: Lifestyle and Necessity Appropriation

Conditions within post-industrial declining cities in the U.S. contribute to diminishing property values and rising informal and illegal property use. A reduction in the state's ability to protect property rights, coupled with unreliable local property-law enforcement strips another layer off the already deteriorating exchangeability of real property. This makes property less interesting to investors or entrepreneurs, whose profit motives keep them at bay. In this context, residents make informal (and often illegal) claims to property, as they strategize alternative uses largely detached from thoughts of exchange. Economically marginalized residents utilize informal survival tactics, civic-minded residents employ do-it-yourself urban improvements, and artists use guerilla tactics to communicate political messages or beautify the city. With reference to growing cities, critical urban scholarship theorizes urban space as continually shaped and reshaped via the conflict between entrepreneurs and residents – or, legally-regulated use- and exchange-values – and finds that the interests of capital dominate the urban landscape at the expense of the well-being of existing residents. However, the informal property claims made by residents in Detroit purports to alter these dynamics as the kind of demands made for property expands and the balance between use- and exchange-value claims shift.

This chapter analyzes the informal, illegal practices in the city of Detroit that use, occupy, appropriate, or demolish real property. I explore the property claims made by two ideal-type categories of property appropriators: Lifestyle Appropriators who find property useful for creating fulfilling lifestyles, and Necessity Appropriators who find property useful for ensuring survival. I compare the practices of Necessity Appropriators and Lifestyle Appropriators and explain how differing backgrounds or habitus shape their claims to property. The goal of this chapter is primarily descriptive – illustrating two ideal types of property appropriation that dominate my data. But a broader aim is to stimulate thinking about how different social groups make claims to property, and how urban conditions influence the dynamics of property claims – i.e. who is making claims and for what purpose?

Lifestyle Appropriation and Necessity Appropriation

These two ideal types of property appropriation reflect the over-arching claims actors make to property's various use-values. Necessity Appropriators (NAs) make claims to property for its use-value in securing needs and ensuring survival. Lifestyle Appropriators (LAs) make claims to property for its use-value in achieving wants and pursuing fulfilling lifestyles. Each ideal type engages in two methods of appropriation (occupation and deconstruction). I use terminology throughout this dissertation that reflects the different combinations of ideal type and method (e.g. LAs who occupy property are called "homesteaders" while NAs who occupy property are called "squatters" – see Table 1). The habitus of each group tends to coalesce into loosely defined characteristics with varying levels of privilege and marginality (i.e. different forms of capital). Habitus is

not just one's background or social identity, is refers to the way in which one's unique history and biography influence embodied tastes and practices, and also how one interprets the world and conceptualizes the future (Bourdieu 1977). The experience of choice (or lack thereof) is a central feature for distinguishing these two groups.

Consider the following two quotes:

Most of the time, squatting comes from a circumstance. It's not a desire and people get it twisted and when you're placed in a circumstance situation you have to address your issue. You just do what's best for you to do at that time to get through to the next phase, but every person who ever squatted, it had to be because that was the choice that was available. For damn sure it wasn't, 'oh I have enough money to go live in New York.' (Marsey)

[Squatting] allowed me to come into better touch with my true self. It was like right where I needed to be to like uh, to self-actualize... I left an apartment, which I could afford. I left my own business, which made more money than I knew what to do with. Like I gave up all those things to go do this. (Gavin)

These two quotes epitomize the differences in illegal property appropriation and use-value claims that are the focus of this chapter. Gavin had an apartment in San Francisco, a business and steady income, but he was unhappy and unsatisfied with his life – he felt alienated. He chose to leave it all behind and started occupying a house in Detroit in order to “self-actualize.” Marsey, on the other hand, does not believe that anyone would ever choose to squat: it's a situation one is forced into. For her, squatting has at various times been her best or only option to provide housing for herself and her nine children. Lifestyle Appropriators like Gavin experience illegal property use as a choice, an opportunity to shape their lives in a way that is more fulfilling and enjoyable. Theirs is a cultural or ideological battle for *the good life*. While for Necessity Appropriators like

Marsey, the battle is *for life*. Property appropriation fulfills needs in the face of constrained options.

Table 5: Property Appropriation Terminology

IDEAL TYPE:	METHOD of APPROPRIATION		
	OCCUPATION	DECONSTRUCTION	
Lifestyle Appropriation (count: 19)	Homesteading Garden/Farm	Salvaging Demolition	Forms of Appropriation
Necessity Appropriation (count: 20)	Squatting Garden/Farm	Scrapping Demolition	

After laying out the theoretical framework for this analysis, I introduce Lifestyle and Necessity Appropriators by explaining the background and demographic characteristics that tend to distinguish these categories. Second, I explain appropriators' motivations for illegally using property. Why do they do it? What are they trying to achieve by claiming property? Third, I look at the material or environmental conditions that characterize these claims. How is appropriation carried out? What are conditions like for each ideal type? Fourth, I examine the justificatory narratives appropriators use to articulate their informal claims. How do they understand the morality of their practices?

Theory

---- *Use-Value, Exchange-Value*

Karl Marx (1990) conceptualizes all commodities as having use-value and exchange-value. Use-value refers to the utility of a commodity, the ability for its physical properties to meet needs or serve ends. A commodity has exchange-value insofar as it is circulated on the market, using money as an abstract equivalence of use-values. Marx argues that property is actually a fictive commodity, because property (as land) is not produced by human labor, as are other commodities. But nevertheless, real property has use-value, and is exchanged or circulated for money as though it were a commodity. Critical urban scholarship conceptualizes urban space as the outgrowth or product of conflict between exchange-value interests and use-value interests. Urban space is an outlet for investment and source of profit for entrepreneurs; and has value for residents who seek to make a life in urban space. It is the tension between these opposing social forces that shapes the socio-spatial dynamic of cities (Harvey 1973; Lefebvre 1996; Logan and Molotch 1987).

Architectural theorist Andrew Herscher explains Detroit as a city wherein property's exchange-value has diminished, but other values have reciprocally increased. These other forms of value have no equivalence in the market (and, I might add, often no transmutability into existing legally-codified use-values). Herscher writes, "The extraction of capital from Detroit, then, has not only yielded the massive devaluation of real estate that has been amply documented but also, and concurrently, an explosive production of unreal estate, of valueless, abandoned or vacant urban property serving as site of and instrument for the imagination and practice of an informal and sometimes alternative urbanism," (Herscher 2012:4). When property values and demand for real estate decline

substantially, entrepreneurs are less interested in securing rights to property because the potential for profit from urban space is reduced. Simultaneously, the state has less push or incentive to protect property rights for real estate of little exchange value and increasing liability. Property in Detroit is re-imagined according to alternative use-values, ranging from creative endeavors, political statements, recreational opportunities, lifestyle pursuits, and survival techniques.

---- *Urban Informality*

Informality research is dominated by case studies of the global south (Auyero 2011) wherein informality is so prevalent that Ananya Roy (2005) conceptualizes it as a mode of urban planning. But in the U.S. context, informality and illegality are much more “under the radar” because authorities and regulatory agencies have a broader and more encompassing reach, and informality is relegated to the margins of society and often researchers’ purviews. However, various social groups engage in informal practices. These social groups face different obstacles and have different goals, which motivate the ideal-type categories in this chapter. In declining cities, researchers have documented that informality and illegal practices persist both out of need (for survival) and out of a desire for a more pleasurable or comfortable urban experience (Dewar and Thomas 2013; Gowan 1997; Herscher 2012; Kinder 2014).

Informal economic activities (Duneier et al. 1999; Venkatesh 2006) and survival strategies of the urban poor (Desmond 2012a; Edin and Lein 1997) are not confined to the global south. Researchers studying the “margins” of the U.S. (Auyero 2011) via issues such as poverty, street crime, or informal economic activity often do their best work uncovering

what we did not know: how often Black women experience eviction (Desmond 2012b), how millions of Americans get by on two dollars per day (Edin and Shaefer 2015), or how police surveillance impacts the lives of the urban poor (Goffman 2009).

A growing area of interest for urbanists is the informal interventions into urban life that arise in the context of decreasing social welfare and service provision under conditions of austerity. Here, informality is not conceptualized so much as a survival strategy of the poor, but as DIY or guerilla urbanism (Douglas 2014; Kinder 2014; Talen 2015) undertaken by residents from various social groups, including long-time residents and the young creative class. Researchers document the way that residents take on a variety of municipal or market functions such as surveying and securing spaces (Kinder 2014), creating informal economic endeavors such as “pop up” restaurants or gardens, or by creating opportunities for civic engagement. Informal practices in urban areas arise in response to varied needs and wants, by actors from different social groups.

---- Informal Property Claims

“Claiming” is part of a process of constructing legal disputes. Actors make claims by voicing a grievance to the person or entity perceived to be responsible, and asking for a remedy (Felstiner, Abel, and Sarat 1980). For the purposes of this project, I conceptualize claiming as the assertion of a right to property expressed via the act of appropriation rather than a formal grievance directed to a legal body. The illegal use of property functions as a “remedy” to the obstacles faced by appropriators. The construction of claims are influenced by a number of factors including pre-existing notions of responsibility for social problems (Levitsky 2008), one’s experience with the perceived problem, their legal

consciousness, and their social position and ideology (Felstiner et al. 1980; Levitsky 2008; McCann 2006; Nielsen 2000).

Similarly, property appropriators' habitus influences the way their informal property claims are constructed. Both ideal types make claims to property that are informal and illegal. But they do so with different views as to how property is useful, how property appropriation is a means to an end, and why illegal appropriation is justified. The different obstacles appropriators face is related to their social position (e.g. more or less privileged), which shapes how they interpret the conditions of Detroit as obstacles and/or opportunities, and influences how they articulate morality of illegal property claims.

The goal of this chapter is to comprehensively circumscribe the two ideal types of appropriators in my data who are making informal claims to property in Detroit. Residents and entrepreneurs, or homeowners and renters, or even authorities and homeless persons do not accurately capture the property claims-making groups in Detroit. I explain the different characteristics of these groups' practices with reference to habitus in order to illustrate both *who* is making claims to property and *how* property is useful to different social groups. I examine the conditions of appropriation in order to explore how those property claims influence the urban environment via their material form. The purpose of explaining appropriators' justifications is to illustrate the narratives that accompany these claims (i.e. similar to the way dominant narratives bolster the normativity of homeownership). My broader aim is to provide evidence to motivate conceptualizing Detroit as a socio-spatial environment produced not just by competing interests in property by entrepreneurs and residents, but by the interaction, conflict, or coexistence of both legal and informal claims to property by various claims-making groups.

Appropriators: Who Are They?

---- Necessity Appropriators

Necessity Appropriators are predominately marginalized, long-time residents of the city. Many of these residents have experienced a great deal of insecurity as a result of living in a city with so many economic obstacles and a history of racism, and who have lived through tumultuous changes like white flight and the spatial displacement of capital, the uprising of 1967, the crack epidemic, the rise in mass incarceration, and most recently the Great Recession. They are overwhelmingly Black and tend to be older than Lifestyle Appropriators (>40). Education levels vary; some have college degrees, others GEDs. Many in my study have struggled with various personal crises, such as unemployment, drug addiction, custody battles, personal violence or the death of a child.³²

³² This data does not have very specific demographic information. The University of Michigan's Institutional Review Board restricted collecting specific data on too many variables out of concern that interview participants might be identifiable.

Table 6: Necessity Appropriators

NECESSITY APPROPRIATORS					
EDUCATION		WHERE FROM		RACE	
College	4	Detroit	14	Black	15
HS + some college	3	Detroit Suburbs	4	White	5
High School	4	Elsewhere in Michigan	0		
GED, less than HS	3	Out of State/Country	1		
Unknown	6			Total	20

---- *Lifestyle Appropriators*

Lifestyle Appropriators are predominately younger (<40), white people who have moved into Detroit from the suburbs, other parts of Michigan, or even elsewhere in the country. They are unfulfilled and unsatisfied with dominant consumer culture, and make claims to property as a means to creating fulfilling lifestyles. Their struggles are more cultural than Necessity Appropriators, but illegal appropriation provides them the economic freedom to battle the cultural alienation they experience. LAs occupy houses, garden or farm vacant lots, and appropriate the “resources” of the city. They gather wood from old houses to fuel their home-made woodstoves, and salvage materials from vacant homes to fix up their residences or to use in art projects. LAs tend to have higher education levels, and as a whole are more privileged than NAs (they have more forms of capital at

their disposal from education to useful skills to an understanding of the law to social ties with powerful city actors).

Table 7: Lifestyle Appropriators

LIFESTYLE APPROPRIATORS					
EDUCATION		WHERE FROM		RACE	
College	13	Detroit	2	Black	1
HS + some college	1	Detroit Suburbs	9	White	18
High School	5	Elsewhere in Michigan	2		
GED, less than HS	0	Out of State/Country	6		
Unknown	0			Total	19

White flight and the spatial displacement of capital that began in the 1950s was a process wherein whites and capital left the city, giving rise to the suburbs and leaving behind what Wilson calls the “jobless ghetto” in the city (Wilson 1996). According to Wilson, prior to the 1960s, ghettos were pockets of poverty within the urban landscape, which contained all of the institutional elements of thriving neighborhoods: schools, libraries, grocery stores, and even employed residents. Post white/capital-flight, urban areas like Detroit were left with jobless ghettos, more extreme in condition and harmful in effect because the institutional elements of daily life were no longer present (libraries

closed, grocery stores were replaced by quickie marts and liquor stores), and daily life was no longer structured by the rhythm of nine-to-five employment (even very low-wage employment). While the collapse of the auto industry impacted Michigan's workforce more generally, even the first ring suburbs escaped the concentrated disadvantage that has increasingly plagued Detroit. Massey and Denton (1998) use the term "hyper-segregation" to refer to the intense segregation of black residents in urban ghettos, an apt term for a city like Detroit which is 87% black.

Across all the property appropriators in my data, Lifestyle and Necessity claims were overwhelmingly correlated with how long an individual has lived in Detroit and why he or she lives here. Detroit is a quintessential example of a city suffering from concentrated disadvantage (Krivo et al. 1998:68–69; Wilson 1987). Concentrated disadvantage is an indicator of the level of deprivation of a geographic area, measured along dimensions such as poverty, joblessness, educational opportunities, crime, and health. The concentration of these disadvantages exposes residents to negative social conditions more extreme than the "sum of their parts" because the utility of social ties that often help residents manage disadvantages diminishes as well (Wilson 1987). The spatial history of the individual (i.e. where they have lived and for how long) influences their habitus, imparting ingrained schemas and values from that social location.

Necessity Appropriators' perspectives on the city have been formed by a history of living here. Most NAs have lived in Detroit their entire lives, and many have a large extended family in the city, many of which arrived with the Great Migration. The few Necessity Appropriators in my study who have arrived from elsewhere live in the city as a

“last chance” – a place wherein they can employ alternative survival techniques to get by, but ultimately a place they would rather not be.

Because LAs overwhelmingly come from outside of Detroit, the obstacles associated with concentrated disadvantage have not burdened LAs throughout their life course in the same way as for NAs. Some of the LAs who move to Detroit from out of state come from places like Brooklyn and San Francisco. LAs who move in from the suburbs of Detroit – even if just a few miles outside the city border – have a very different place-based history that is more privileged than those living in Detroit. The way that Lifestyle Appropriators apprehend the conditions of an urban landscape like Detroit is very different than those who have grown up within these conditions, like Necessity Appropriators. For example, to longtime Detroiters, an abandoned warehouse is an “abandominium,” a place where youth escape to smoke pot, and a place their parents warned them to stay out of, a place where a dead body was found, and where stray dogs hide. To a newcomer from Brooklyn, this same property might be a fascinating space unlike anything ever seen before – an oddly beautiful, perhaps romantic emblem of industrial ruin. In Brooklyn, this would be turned into trendy loft space. But property abandonment and the conditions of Detroit have played no role in shaping the life of an outsider as it has for a native Detroiter. Habitus shapes how one considers the purviews of possibility for the future. In sum, place-based history is central to the formation of habitus and interacts with other socio-demographic factors to impact how appropriators’ experience Detroit and interpret what Detroit is or could be.

Why Do They appropriate Property?

Property appropriators make claims to property for different use-values. These informal claims are motivated by an existing obstacle that access to property can remedy. In explaining why they appropriate property, residents in my study articulate the way that property is useful as a remedy for an existing problem or as a means for achieving a future goal.

---- Necessity Appropriators' Motivations

Necessity Appropriation is motivated by the urgency of daily needs. Property appropriation is a means for getting by that simultaneously grows from the constraining conditions in the city and takes advantage of the unconventional opportunities these conditions have created, such as an abundance of vacant property and lax surveillance by authorities. Squatters find housing and scrappers earn income from selling metal at scrap yards.

Necessity Appropriators make informal claims to property because they need to fulfill daily needs. But NAs also do *not want* to be engaged in these practices, they do not choose them so much as they are left no other option for survival. They testify experiencing a lack of choice with regard to property appropriation.

Consider TJ. TJ is a black man in his fifties – tall, gregarious, with thinning grey hair pulled back in a ponytail. TJ is easy to spot, always wearing a leather jacket embroidered in red and blue even on the coldest days of winter. I frequently found him at a soup kitchen surrounded by a table full of other hard-up Detroiters as he doled out advice like an informal social worker. He carries a billfold with business cards of social service agencies,

soup kitchens, shelters, and lawyers. TJ likes to tell how his basketball career was thwarted after an injury in high school, but he is grateful that instead he graduated from college in Michigan. TJ's troubles started several years ago after losing his job as a forklift driver for a bottling factory. He cannot afford a legal divorce from his wife (a cost of around \$150), so he does not qualify for housing assistance and is biding his time until he is eligible for social security. He has been squatting a house on the west side of Detroit for nearly three years. His grown son and his son's girlfriend occasionally stay in the upstairs of the house. TJ explains how he feels about squatting,

I really don't see any benefit outside of just having a roof over my head... and not being completely homeless... And it's, it's something that I thought I'd never be doing... because like I say, I have always worked, even when I was in high school, I have always had a job... So I've never had that to worry until the economy hit... hey, I just got caught up in the system like everybody else... and now I'm seeing how people were living. So I'm going through what they was going through now, you know, so. It's just a way of living right now... It's nothing to be proud about... or to really even talk about you know, but it's, it's real.

If he were not squatting, he tells me, he would probably be bouncing between friends' couches and the shelter, but acknowledges how hard that can be on a friendship. For TJ and other NAs, squatting is the result of constrained options for finding housing.

Bond is a single black man in his fifties who has spent the last several years scrapping metal and other saleable materials from across the city, selling his findings at scrap yards for money. When I asked him why he is scrapping he answered simply: "I ain't got no money. I'm broke, that's the thing." He explained how, after losing his job a few years ago, some acquaintances invited him to help them pull the pipes out of an old house and

haul them to the scrap yard. They split that day's earnings and he was relieved to finally have some money in his pocket.

I asked how he feels about surviving on scrapping and Bond explained, "I don't know. It's um...being homeless is worser. Uh being homeless is worser. Trust me. Not being homeless...it feel a lot better than being homeless. You can go buy you something to eat when you leave the scrap yard." Bond lives in a house that is owned by his extended family, which provides a degree of security, but he is responsible for paying the utilities and taxes on the property. Scrapping is his only form of income, and thus what keeps him from being homeless. He says,

I started after I lost my job (in) '07... and I was like okay I ain't got no income you know. Light bills starting to get shut off and then water bill coming in, gas bill and the gas bill got shut off... can't get a job ... you can take iron to the scrap yard and get money daily. You could make a living. You know somebody can make \$300, \$400 a week.

Bond's motivations for scrapping are urgent: his needs are pressing and so he does what he has to in order find income.

Marsey, the mother of nine children, is in her forties. A tall heavy-set black woman, she is friendly and talkative, smiling broadly while she speaks even though she is missing a front tooth. She says she had a relatively stable upbringing, was in the military for a number of years, and graduated from college. But after she came home to find her eleven-year-old son raped, murdered, and hung from the rafters in her basement, she came unraveled. For several years, she used drugs and was very transient. After getting clean and struggling to get custody of her children back, she squatted in order to provide a home for them. She has bounced back and forth between squatted houses and low-income apartments. Social services removed her children a few times for squatting when they did

not have running water hooked up. But the income-subsidized apartments she qualifies for are hard to live in because she and her nine children often have to share two bedrooms, while many of her squatted houses were large, with plenty of space for the family to live comfortably.

Leslie is a black woman in her forties who started squatting with her two children after getting divorced and then losing her job as an administrative assistant for Detroit Public Schools. Leslie struggles with a gambling addiction. She first started squatting a house her sister had owned that was repossessed by the bank. The bank left the house empty and unsecured, so she moved in. She has subsequently moved between various income-subsidized apartments and squatted houses.

Leslie's manicured nails strummed the chipped melamine table where we sat. The rest of her was carefully put together as well; she stood out in the soup kitchen where we met. Leslie considers herself a squatting advocate and wants others to be informed about how to occupy properties "the right way," offering advice ranging from selecting an appropriate property, to managing relations with the neighbors, to creating fake rental agreements to show authorities. She spoke in a low voice and was careful with her words as she explained how she felt about squatting,

It wasn't my first choice so of course I didn't feel wonderful about it. But I did feel a sense of relief, once I was in the situation, once I had the knowledge and knew what it was that I was doing. So, you know, but if you wanna put a feeling on it... in some way you do feel like a failure, in some aspects you know especially as being a parent and a provider... but you know you have to keep going... You have to keep living and I thank God that I've never been put in a situation where my kids were in danger and there was no drugs around them, and you know there weren't nobody looking for me... never had any abusiveness or anything like that going on. So I prided myself that... if I do the right thing... be careful and... just not let all that other influence come into my situation that I would be okay. So no I, I was never proud of it... And you

know, I'm not saying this to say that everybody should do this, but... I felt like I was in a situation where I had no other choice.

Like Marsey, Leslie's explanation highlights a central theme for Necessity Appropriators: that they do not choose their activities so much as they feel they are forced or pushed into them. They are pushed, in this sense, by a lack of viable alternatives for meeting daily needs rather than being pulled by the lure of something desirable. Leslie's words also emphasizes the point that NAs do not want to be squatting or scrapping, they only want to insofar as they do not want the alternative, like doubling up with friends for TJ or not being able to pay the gas bill for Bond.

Necessity Appropriators are not all poor, black native Detroiters (though in my interviews they overwhelmingly are); they are other folks who move to Detroit having no other options for survival. Jackie is a white woman in her fifties who has been addicted to heroin for decades. I met with her and her younger son one hot summer day in July of 2013. When I pulled up to their squatted house on the near east side of Detroit in a borrowed old grey pick-up truck, Jackie said, *I hope no one steals your truck!* I looked up and down the desolate street, which could have been a quiet country lane except for the paved road pockmarked with deep potholes, and wondered nervously if she was serious. Jackie just smiled warmly and invited me inside.

Old enough to be my mother, Jackie welcomed me in and tried to make me comfortable. She invited me to sit at the table in the dining room of her squatted house. From where I sat, I could see through the doorway to the kitchen, which had

been stripped of its cupboards, counter-tops and appliances. Next to us the living room was bright from the afternoon sun streaming through the ratty curtains tacked over the windows. Black trash bags, open suitcases, and clothes were strewn about the old greying wood floors in the room, which did not have much by way of furniture. On the table next to us sat a battery-powered radio. Jackie has lost an eye, and has no teeth. She is a small woman who had her blonde hair braided into two very thin ponytails each time I saw her. Her arms are thick and swollen, abused from decades of heroin injections.

Jackie's husband died of cancer in 2006 and she subsequently lost their house to the bank. After that, she and her three children moved in with her parents in a distant suburb of Detroit. But her continued drug use strained her relationship with her parents so she moved out. She and her two sons left, but her teenage daughter still lives with Jackie's parents. Jackie tells how they ended up squatting in Detroit: "I couldn't afford to live out there in the suburbs you know, and then my car broke down and that was it." Jobless, carless, and needing to be walking distance to available drugs, Jackie began squatting a house on the east side of Detroit, where many suburban residents trek to buy drugs, with her two grown sons, also heroin users.

I interviewed her son Joe on a separate occasion (he injected heroin in the next room the first time I met them, and was too high to participate in the conversation much). Joe is 25, did not graduate high school, and does not have much work experience except for some prior landscaping jobs. Unlike Jackie, however, he

still imagines a future without heroin dependency: in five years he says he would like to have his own apartment and his own landscaping business.

In telling Jackie and Joe's story as that of Necessity Appropriation, I make an assertion about drug use: that in a case like this, it's not merely a lifestyle choice. Jackie's drug addiction, like others in my research, is a decade-long way of living, she remembers little else and desires nothing else. I asked if she wanted to get clean. She replied, *No, I don't like pain...*, referring to the pain of detoxing off of heroin. While she says that she wants to continue using heroin, she does not want to be squatting or even living in Detroit, preferring to return to the suburb where she grew up.

Recreational drug use was prevalent for some of the Lifestyle Appropriators I interviewed and spent time with. But the primary motivation for illegal property use is different: for Jackie, Joe, Grant (another long-time heroin user), and Marsey (a former crack cocaine user), illegal property use was a survival mechanism that they utilize because they have no other choice – it follows their drug use. While for Lifestyle Appropriators, drug use is part of how they spend their newly found free time while squatting. But drug use by LAs does not hinder their options for survival as it does for NAs. To reiterate, NAs do not experience squatting or scrapping as a choice. Even living in the city of Detroit proper is an undesirable situation for Jackie and Joe (and many other NAs).

DeAngelo is a chronically homeless man in his late forties who has been squatting a very dilapidated property on the west side of Detroit for over three years. We sat on his front porch drinking warm soda on a hot summer day. His small

house was only one of four still standing on a block that used to have around twenty-six houses. There was no roof over his porch but the darkened line across the front of the house indicated there had once been one. His porch was crammed, but organized, with folding and camping chairs, several barbeques, which he used for all of his cooking, and some milk crates. The faded front door had peeling wood veneer and a hand-written sign tacked on that read, "Private Property: Keep Out." DeAngelo explained why he began squatting after spending three years at the Salvation Army:

For peace of mind. You know just not being around other folks. In a shelter, you're around a hundred guys all the time... you know and chaos always a problem. So now I got a peace of mind you know... [Here] I can get up when I want to you know. They put you out at six in the morning no matter where you got to go. But you know sometime you be tired, you don't want to get up at no six in the morning... they throw you out.

For DeAngelo, squatting a house was the only alternative to continuing to live in the shelter. His "nephew" – a younger male friend – squats with him now. He desires more peace and safety, the ability to make personal decisions for himself, and the only way he could do this was to squat a house rather than remain in the shelter.

Two key issues are central for NA's motivations. First, they do not want to be in the position of having to illegally use property in order to survive. Second, because of this orientation towards their practices, they feel pushed into appropriation as a matter of necessity. This push does not mean NAs are merely reactionary. They feel pushed to appropriate property, but do so in a way that is informed by their situated understanding of how to achieve their goal of survival in

a context like Detroit. This is different from LAs who choose their practices and are pulled by enticing opportunity.

---- *Lifestyle Appropriators' Motivations*

Lifestyle Appropriators take over property as a means for fulfilling lifestyle goals. NAs are battling economic struggles of daily survival, while in their everyday lives LAs report struggling with unfulfilling employment, lacking a sense of community, and insufficient time for creativity, leisure, and fulfilling activities. They desire control over their time – time for these hobbies, time for creativity, time for social interactions and community engagement. Finding this time requires that they live frugally to avoid menial formal work as much as possible, and their willingness and desire to engage in creative experiments in living aid this. By homesteading, gardening/farming, and salvaging, LAs make claims to property as a means for creating a satisfying lifestyle. They might create water catchment systems rather than paying for water, or grow their own food to reduce grocery bills, which also fulfills their desire for an ecologically-minded relationship to where and how they live. In contrast to NAs, Lifestyle Appropriators experience choice in their decision to illegally appropriate property. They are pulled by the enticing opportunity that lies ahead of them, rather than pushed by the urgency of daily survival.

I spoke with homesteaders and salvagers Phantom and Niko at a popular coffee shop just outside the border of Detroit. They sat side-by-side across from me at the table. They are both white men in their early twenties who were raised in the suburbs. They both had shaggy looking hair and wore slightly tattered clothing. Niko carried a well-patched Jansport backpack. Phantom began first, explaining that he had trouble finding a job after

graduating from college in Michigan and ended up working at a corporate grocery chain stacking boxes for several months, before he had a panic attack. He says,

And then for some reason in 2010, I had a major panic attack, the first panic attack I've ever had and all this energy came to me and was like: Why are you living like this? You're not doing what your passion is, you're not doing what you love doing, you need to do that. And I was freaking out for six hours and I had so much energy in me that the only thing I could do was go outside and pile snow.

In seeking to find that passion, he moved into the city and started squatting with Niko and has been working on film projects. Asked what motivates him to squat in Detroit he responds,

[P]ersonal growth because you're not worrying about oh I gotta pay all these bills... You know if you're not worrying about all of that what else are you gonna be doing? So I have all this potential to, you know really find in yourself what you actually are, what actually motivates like moves you, so that's huge.

Phantom and Niko met on a wellness retreat. After returning to Michigan and embarking on several other adventures together, the two visited Detroit a few times and then decided to start squatting. Niko explained that in Detroit there is,

Room, room to create your wildest dreams. They say that America is like this free country and you have so much freedom, but if you work a nine to five job and you pay bills and like you spend all your energy doing that and then you have maybe a few hours to work on like your projects, but here... it's like you have enough time and space to do that constantly and always, and you don't have to worry about like having to pay bills or having to pay utilities.

Some LAs, like Niko, avoid paying for their water, electricity and heat, and instead procure utilities themselves – also an exciting, challenging lifestyle component. By taking over property, Lifestyle Appropriators reduce housing and material costs, and other monthly expenses. In doing so, they are able to live inexpensively and use their time and money to pursue other activities.

Sarah and her partner Matthew are both white 30-somethings from the west side of Michigan. At the time of their interview, they had purchased one lot and were squatting several others in northwest Detroit and farming them. We sat under a tree in a corner of one of the lots, surrounded by vegetables growing in neat rows, nut trees, and a large compost pile whose smell wafted our way every time the breeze picked up. Across the street were several vacant, overgrown lots and small, recently scrapped houses. Sarah and Matthew were scheming how to take over the abandoned house in the middle of their farm, whose roof they were already using for water catchment. They had gotten to know the area while doing a farming internship in the neighborhood. She explained:

We were going to try to go to Grand Rapids because that's where my family is and start something like this there, but as we were coming here more we really liked it and just financially there's no way we could've gotten a house and...and space to do stuff for this price, like we would have had to get crappy jobs and you know it be just more of the same, like working in a restaurant with everybody so.

They could not afford the lifestyle they wanted except in Detroit because of the ability to (illegally) access property here. Going elsewhere would have required unfulfilling jobs. To Sarah and Matthew, property in Detroit was an opportunity of which to take advantage.

Allen is a white male in his early thirties, a self-proclaimed homesteader and urban farmer who went to a prestigious university where he earned an engineering degree. He grew up in a wealthy suburb, and to his parents' dismay he decided to move to the city to farm. Allen grows produce, has fruit trees, and raises and harvests chickens that he sells for income. He manages to scrape by on about \$8,000 that he makes in a year. Allen discusses his motivations: "I wanted like the freedom to not have the pressure of like going for a job... and not having the flexibility when you have a particular amount of financial obligations

then... it's much harder to figure out what you want to do in life." Allen wanted the freedom to figure out his path in life, and illegal property use provided an opportunity to try something he wanted to do.

William is a white man in his late thirties who moved to Detroit to be involved with the art scene. He has a somewhat menial job that just covers his living expenses. His small rented apartment in Detroit is filled with items he has salvaged from abandoned buildings across the city. He says, "I guess I scrap just for my art and... my own desire you know? Just it's like treasure hunting, you know I go into abandoned houses... I guess part of it is art material and part of it is just kind of cultural gathering like find things that are interesting to me." William uses these salvaged items as resources for pursuing his passion, art. He shows his art in small galleries around the city and, on occasion, he sells a piece. William would not be able to afford his hobby – his passion – if he were not able to acquire many of his supplies for free (illegally).

John is from the Detroit suburbs and had been living in a rapidly gentrifying neighborhood near downtown Detroit for a few years since graduating from college. He and his friend Rob started squatting a vacant house in Northwest Detroit, about five miles from his rental, because he liked the new neighborhood and because the neighbor Harrison suggested he move into it. John recalled:

You know it was time to move and... first I was just kind of bored and wanted something more hands on and whatnot and I was familiar with this community so there was a neighbor or two that I was talking to and telling them that I was looking for places and they said okay, why don't you just occupy this one.

John decided to squat, in part, because he was bored with the status quo and sought something different, a more adventurous way of living, but also because he needed

somewhere to live. Appropriating property was useful to him because it achieved both goals.

For LAs, illegal property use allows them to fulfill personal desires ranging from experiments in living to artistic endeavors to farming. The alienated existence that LAs are trying to avoid is very real, and the antagonism that they confront in everyday life is not to be discounted. But, the point here is that illegal appropriation is not about survival, about *life*, but instead is a means for securing the *good life*. Illegal property use is a mechanism for overcoming alienation and unsatisfying existence, and in that way is a chosen lifestyle for LAs much more so than it is for NAs who are struggling to meet basic needs.

The motivation for informal property claims differs depending on how appropriators perceive property to be useful. Property's utility is influenced by individual wants and needs, which themselves are shaped by habitus. NAs and LAs have situated knowledge of how to use property to achieve their respective goals. These two groups apprehend the structural conditions of Detroit differently, which influences the way they navigate these conditions and how property appropriation can function as a means to an end.

How is Appropriation Carried Out?

Informal property claims differentially impact the urban environment because of how appropriators use property. Appropriators carry out the act of appropriation differently, and thus experience different conditions in the process. Three key factors influence how appropriation unfolds: 1) whether or not appropriators want to be

engaging in illegal occupation or deconstruction, 2) the goal of appropriation, and 3) what resources and capital they have at their disposal for improving or navigating these conditions. The result is that informal property claims are characterized by harsher, more dangerous conditions for Necessity Appropriators than for Lifestyle Appropriators.

---- *Conditions of Necessity Appropriation*

Squatting for shelter and scrapping for cash is a rough existence that requires a great deal of work. The harsh conditions of life for people surviving by these means are indicative of the constrained options and dire situations that motivate them. Squatters often lack access to basic necessities like electricity and running water. Scrappers are referred to as “pancakes” by local fire fighters, who all too frequently are tasked with trying to pull someone out of the rubble of a building that collapsed on them. Because NAs prefer not to be squatting or scrapping and do not wish to maintain these practices, they tend to try to make do with minor adjustments or few investments in order to allow these practices to suffice “for now.” They also lack the resources and capital that would enable them to improve the quality of their practices, as LAs are able to do. Finally, their goals for appropriation, specifically the difference between scrapping and salvaging, means that the situations they get into are much more risky. The conditions of appropriation for NAs are harder and more dangerous than they are for LAs.

Jackie and her sons had no spare money and little desire or ability to substantially invest in their squatted house on the east side of Detroit. They survived and purchased drugs by panhandling and selling materials to scrap yards, though the latter was only possible for them when they had access to a vehicle. With

pride, Jackie explained that she had cleaned up their squat, hung curtains, and took care of it. But their squatted house had no electricity, heat, or running water. I asked how they made it through the cold winter months – in Michigan, temperatures dip well below zero often for weeks on end. She gestured around the small dining room where we sat and explained, “You get a room like this size right here and you got thirty candles going and you got a few people in there you’d be surprised it’ll get like fifty degrees.” At night, everyone huddles together to sleep. Every few days, her sons fill up a large cooler with water from a house nearby. They tell me how they used to walk a few miles to Belle Isle (an island in the Detroit river that used to be the center of summertime recreation in the city) to wash their clothes and bodies in the public showers, but the public showers have since been turned off. Using their only resource – their own labor – Jackie and her sons made their squat as livable as they could.

The outside of TJ’s house looked like any other occupied house on the block. There were plastic chairs on the front porch (covered in snow as it was the middle of winter) and what looked like old flowered bed sheets hanging over the front windows in lieu of curtains. Unlike Jackie and her sons, TJ has illegally hooked up electricity and water utilities (but no water heater). He is able to heat his squatted house with a few space heaters, but has to heat bath water on the kitchen stove. In his basement, a busted pipe constantly leaks water onto the floor, filling it up like an icy swimming pool. When the meter reader comes by from the electrical company, TJ wades through nearly three feet of ice cold water to unhook his illegal utilities so the meter will stop running and his illegal hookups will remain undetected. When he

first moved into the property, it was infested with cockroaches and bedbugs. He tells me how initially, before he was able to “bug bomb” the house, he slept on three folding chairs pushed together in the middle of the room so that the bedbugs could not reach him. TJ made changes to the house in order to make it more livable, ridding it of garbage and bugs. But TJ survives by selling his \$180 per month in food stamps for cash and eating at a soup kitchen. He cannot afford improvements like a water heater or the services of a plumber to fix the leaky pipe.

DeAngelo’s squat is another example of a particularly rough existence. He does not have any utilities hooked up, so he has no running water or electricity. He relies on local charities and soup kitchens for food, and spends his meager money (from selling food stamps and “hustling” – scrapping and odd, under-the-table jobs) on batteries for his flashlights, and water bottles and soda for when he wakes thirsty in the night. When he can, he showers at the shelter nearby or one of the churches in walking distance to his house. He has used his own labor and salvaged materials to improve his property, much as Lifestyle homesteaders do. He has put down some scraps of carpet on the floor and has covered over the broken windows to keep it warmer. But DeAngelo’s lack of income or DIY knowledge – even a marginal amount – leaves him without the ability to make improvements that would provide him with heat or running water.

Grant has been squatting and scrapping on and off for about twenty years. We sat on the front porch of my house in Detroit late one evening. He smoked cigarettes while he talked, always looking slightly past me. He is a large white man in his forties, around 6’4” and well over 250 pounds. He credits his large stature

with helping to keep him safe while scrapping. His story illustrates the role that illegal appropriation plays in the lives of very marginalized residents: it is an opportunity for shelter and income, but also creates difficult, often extreme hardships. At the time of this writing, Grant has recently died from a bad dose of heroin.

Grant said he had been scrapping for so long that he watched the scrapping scene change over the decades to the point where the abundance of easily accessible metal has decreased substantially. He explained that finding saleable materials requires more demolition than in the 1980s or 1990s, when one could walk through an old factory and simply pick up old metal machine parts off of the floor. While scrapping provided him income for many years, Grant has experienced hardships as a result of the conditions of these practices, including being arrested and severely hurting himself. He tells how he fell down an elevator shaft:

It was in the middle of the day, but I was in the sunlight and it was bright and I walked into the room next door just to stretch... cause I had been on a ladder. And walked into the next room and into a shadowed area and the light changed, I didn't, I couldn't see anything for a split second I walked right into this hole. The next thing I know I'm falling you know and the next thing that went through my mind is 'I'm falling a long ways.'

After lying on the floor for over an hour gathering himself, Grant had to ride his bicycle home with a broken leg. Another time, Grant was cutting through an old pipe and did not know it was full of ammonia, which blasted him in the face when he finally busted it open. He lost his vision substantially in both eyes, and eventually went blind in one because he did not seek treatment right away.

Scrappers predominately seek metal, like copper and aluminum to sell at scrap yards. In many buildings, finding these metals means opening up walls, dismantling old pipes, or taking off window frames. More desperate scrappers are known to climb telephone poles to get the copper wires from the transformers, or to try to dismantle entire buildings to get steel I-beams. The marginalized backgrounds of many scrappers means that they also cannot afford the tools or gear that would make their practices safer or easier.

Another way to contextualize the way that NAs carry out appropriation, is that the insecurity of their lives – the fact that they must worry about how they will secure basic necessities – impacts their ability to invest even marginally in their practices in order to improve the conditions under which they appropriate. Because their futures are so unsure, appropriation is carried out hand-to-mouth, without an expectation of whether or not they will need to or be able to continue surviving in this way in the future. Lacking access to resources like money, tools, or knowledge, Necessity Appropriators do not invest in their appropriated properties beyond what is required to achieve their immediate ends. The result is that appropriation is more difficult and often has harsher effects for more marginalized appropriators.

---- Conditions of Lifestyle Appropriation

The practice and process of property appropriation is different for Lifestyle Appropriators. Homesteaders who occupy vacant houses spend time and money fixing them up, and often try to purchase them. Salvagers express enjoying the process of exploring abandoned buildings as they search for reusable materials. Lifestyle

Appropriators in my study have access to more monetary and knowledge resources (albeit often only marginally more than NAs) that significantly impact the conditions of appropriation.³³ The time and labor needed to improve the conditions of appropriation (such as searching for a salvageable door to fit the property) are part of the urban pioneering lifestyle LAs seek. Expending time and labor on their properties is also a safer “investment” than for NAs because LAs expect to maintain these property relationships for the foreseeable future. DIY culture is prevalent among Lifestyle Appropriators, who share knowledge about how to create corncob insulation, and rain collection and filtration systems. They may not have access to much disposal income, but LAs are more likely to be able to afford basic supplies necessary for DIY interventions and are interested in and willing to spend the time salvaging them. The conditions of appropriation are less harsh, easier, and safer for LAs because they are comfortable investing more time and labor into their practices, and have more resources to do so as well.

The activities that are part of Lifestyle appropriation are also desirable. The ability to “rough it” by occupying a house without utilities; the time it takes to salvage materials from houses; or the labor of gardening in order to feed oneself is precisely part of what LAs seek. They enjoy these activities (in contradistinction to NAs) and the lifestyle that goes along with this kind of “urban pioneering.” As homesteader Niko said: “I mean you do have to worry about gathering wood and chopping it, but I love that. That is so much fun, that is

³³ For example, consider that often the difference between squatting and owning in Detroit is a mere \$500. Thousands of houses each year are available for sale during the second round of the county property auction for starting bids of \$500. Purchasing at the auction requires access to the online system, a down payment, and the money to follow through with a purchase.

awesome.” Of their time illegally occupying their house (before purchasing it), John’s roommate Rob commented, “It was like the ultimate like, don’t give a fuck, just do it type of thing and I mean, it was just a lot of fun.”

I sat at a small plastic table in John and Rob’s dining room that looked like it used to sit on someone’s back porch. It still had backyard dirt crusted in the flower pattern on top of the table and was littered with keys, pencils, dirty tea mugs and scraps of paper. John sat across from me. Rob sat in a low easy chair across the small room, eating sautéed vegetables from their garden out of a clay bowl with chopsticks. John gestured around the room as he described the process of cleaning up his house and making it livable. John’s house is in a northwest Detroit neighborhood plagued by vacancy and blight. Scrappers had decimated the house, pulling the copper pipes out of the walls and stealing the windows. Initially, John and Rob filled dozens of trash bags with garbage from the inside of the house, boarded up the windows and made a make-shift front door with a padlock on it. They slept in sleeping bags on the floor. With the help of some of the neighbors and several “Idiot’s Guide” books, John and Rob renovated the house to make it livable – they put in new plumbing, drywall, and electrical, added windows and doors, and cobbled together a kitchen from random shelves and countertops. After squatting in the house for almost a year, John ended up tracking down the legal owner and purchased it from him for \$1,200. The legal owner had never seen the property and did not know of John and Rob’s significant repairs and investment in the property. Similarly, homesteader Allen commented that he had invested several thousand hours into getting his farm up and going, and rehabilitating his homesteaded house.

For salvagers, not only is finding usable material something desirable, but the process of searching through abandoned properties in and of itself is an enjoyable activity. Knox walked me through the building where he took most of the materials he used for his attic renovation. The abandoned school's windows were broken or missing entirely, the doorways were wide open, letting rain, snow, and animals inside. Much of what was left of the inside of the building was covered with graffiti or spots of paint from paintball guns. Gunshots had made peepholes through the heavy old wooden classroom doors. Knox gestured around the building, showing me where the walls, doors, and shelves of his attic room had come from. He had been through the building many times, and narrated our exploration, telling me when this school had been shut down and pointing out the unique aspects of its architecture.

Homesteader, farmer, and salvager Carlos showed me his house in a blighted neighborhood on the edge of Detroit. He is in his mid forties and recently quit his job in food service to try his hand at farming. On a chilly spring day as the snow was melting, we walked around his neighborhood while he pointed out the different abandoned houses he had taken materials from. Detroit's aging sewer had left massive puddles of melted snow covering the street. I stepped gingerly as I followed Carlos through very blighted, run-down houses, though his heavy footsteps signaled he trusted the condition of these properties. Among the materials he had taken from nearby houses were kitchen cabinets, old wood trim, and a fireplace mantel. Back in the property he was occupying, Carlos showed me his makeshift plumbing system: a bucket under a sink to catch the water that he poured in to do dishes and wash himself. He planned to build a rain catchment system and connect the sink to it. Carlos had illegal electricity hooked up, but rather than relying on space heaters

he was building a furnace out of a metal drum to burn wood that he would gather himself. Carlos, like many other LAs, also prided himself on being able to reuse the materials of the city, rather than letting beautiful old woodwork or even just fallen down tree branches be left to ruin by the elements.

Appropriators' goals with informal property claims, and the resources they have to carry these out, have different impacts on the urban environment and for appropriators' own experiences. Most NAs lack even the modicum of money necessary to create a rain catchment system, and are not imbedded in a community of DIY-ers who share knowledge about how to create such a thing. NAs future relationships with their properties is also unsure, so that significant time, labor or monetary investment is potentially a waste. In contrast, LAs have more resources and knowledge that enable them to improve the conditions of properties and their experiences in and with them. LAs expectation of using or occupying property for the foreseeable future motivates them to invest and makes this an investment from which they are likely to see a return. The result of these differences is that NAs, who are more marginalized, experience harsher conditions of appropriation than more privileged LAs.

How do Appropriators Justify Breaking the Law?

Appropriators articulate their informal property claims when they explain why violating property laws is moral. Informal property claims are a remedy to individual obstacles, but appropriators' justifications situate individual claims in a broader narrative about systemic problems in Detroit, which reflect appropriators' situated knowledge of the

conditions of the city. Appropriators in my study do not express feeling that they are wrong for violating property laws. Instead, they articulate a different kind of morality with respect to property.³⁴ Even Bobby, who squatted to sell drugs (prior to his arrest and felony conviction), feels he provided a good service to his neighbors by using drug money to help them maintain their properties. He helped them get through hard times and in exchange they turned a blind eye to the drug traffic in and out of a house on their block. Appropriators violate the law through informal property claims, but do not say, *It was wrong, I shouldn't have done it*. Instead, they say, *It was right because...*

---- *Necessity Appropriators' Justifications*

Necessity Appropriators reference the obstacles of life in the city of Detroit as justification for their illegal activities. They understand their insecure positions as a result of problematic structural obstacles that constrain their options for survival, and believe their illegal actions are justified because these structural obstacles have eliminated legal avenues for survival. Specifically, their marginalized economic status means they do not have legal access to real property that would allow them to meet their needs.

Bond blames the city and the banks for the blighted conditions of the built environment in Detroit. He sees scrapping as an almost natural or inevitable outgrowth of

³⁴ Both categories of appropriators adhere to the ethos of care in Chapter 3 – the belief that property appropriation is just or right so long as one's actions positively impacts the physical and social environment. The justificatory narratives here articulate the source of a larger problem in Detroit, and how individual legal violations are linked with these systemic obstacles.

the conditions authorities have created. In explaining why his practices are justified, Bond displaces responsibility for any negative impact from scrapping, and says,

People shouldn't blame the scrappers that the city look bad. They should blame the city-county³⁵ government. That's what I say. Scrappers didn't do it. City-county done did it - stole all that money, made all the people leave they houses and all them homes just sitting there. That's how it started...That's how people wind up leaving; forced to leave because they ain't paid their taxes. Now the houses are sitting there. Who own it - the bank or the city in Michigan owns it? Now the guys sitting around here looking at that house, ain't nobody staying here...we're going to scrap it. That's how it started. It would've never started if [the government] wouldn't been taking all that money. If they had been doing the right thing with that money...when Washington sent them millions to here years ago... That was supposed to been for the potholes and the demolition. They supposed to demolition all these homes that was standing there 'cause people started dumping bodies in them. They supposed to tore them down them but they kept stealing the money.

Bond blames institutions and city authorities for conditions that lead to scrapping. He faults city authorities and the banks for foreclosing and kicking people out of their houses, resulting in thousands of vacant homes in Detroit. He blames a legacy of corrupt government for the conditions within which he and others have to survive.

Like Bond, Marsey feels her actions are just and contextualizes them within the conditions of life in Detroit. Marsey gets heated when talking about the illegality of squatting:

The city don't care. The banks don't care. Nobody cares. Where do it becomes illegal? Really? But yet it's legal for drug dealers to go in there... It's legal for it to be an eyesore to the community. That's the illegal shit allowing it to be legal... And instead of living in a community that's the eyesore to itself that no one is doing nothing about and it's been obvious for the past 10, 20 years that the deterioration of the situation, but no one on a corporate level is concerned with that issue; at some point the people whose circumstances it is, that have to do something about their own circumstances especially when

³⁵ Detroit's City Hall used to be called the City-County building, so Detroiters often reference city-county for a general nod towards local government.

they're not getting help from people that can make the change, that can make the difference.

She blames institutions and authorities for the difficult conditions within which she must try to survive: the city, the banks, corporations, those “that can make the change” are not doing anything to help. Institutions and authorities have failed by not being ethical in their responsibility towards the city. This failure has created a situation of desperation for residents like NAs, and as one who cannot “make the change,” she is forced to act for herself to change her immediate circumstances. In a situation of desperation, ensuring one's own survival is morally justified.

Soon after moving into a squatted house with her nine children in a relatively stable neighborhood, Marsey had a run-in with the police. A police officer arrested her.³⁶ She explains why she felt her treatment was unjust by countering her activities with what she considers to be real problems worthy of authority intervention:

That wasn't a situation for them to actually get caught up in. When you got murderers, you got rapists, you got bank robberies, you got so many other domestic violence problems. What type of police officer take a woman to jail who trying to live in a house and feed her kids, and have some place to [live]... Really? Really!

³⁶ Squatting was a civil offense (until the end of my field work when it was criminalized): the legal owner of a property must pursue an eviction through civil court before an occupier can be forcefully removed. If police can establish that a person has trespassed in order to be occupying a property, they can be arrested. The latter was not the case when Marsey was arrested as she had already “set up house” and was not caught entering without permission. The police chief apologized for her treatment and this case has been referenced by local authorities as to why the police must be so careful to follow protocol with regard to squatters.

She then continues on to explain that, in a context wherein these other “real” problems are prevalent, her actions are not a problem but rather a solution to larger, systemic issues facing city residents:

You know where’s the crime? It’s a crime cause I’m trying to survive; I’m trying to live; we gonna make it a crime. Really?... And people need to get over it. People need to understand that for every situation, there’s a solution. But if you do nothing about it, nothing changes. And at some point when a person leap out on faith to make a change; some support should be given. At some point, some type of support should be given.

Marsey and other Necessity Appropriators justify their practices by referencing the structural conditions that have, in a sense, confined them to a marginalized, desperate situation that has forced them to break the law. When Marsey says that at some point “a person leap out on faith to make a change,” she’s referencing the informal, illegal tactics used for survival, like property appropriation, that are self-help strategies.

For Necessity Appropriators, illegal property use is a method of fulfilling needs that is informed by a locally rooted, everyday, embodied understanding of the obstacles and opportunities of life in a city like Detroit. Squatting and scrapping practices are simultaneously indicative of structural oppression and individual agency: squatters and scrappers are residents of the city who understand how to navigate the lack of economic opportunities, a legacy of corrupt government, and the fallout of the foreclosure crisis by using the conditions these structural obstacles have created (such as an abundance of blighted, vacant property, and lax police surveillance) in order to survive them. These conditions, and the way NAs experience them, are reflected in their justifications: illegal appropriation is warranted because it is unavoidable.

---- Lifestyle Appropriators' Justifications

Lifestyle Appropriators also frequently acknowledged that hardships in Detroit are linked to corrupt authorities and problematic institutional practices (like foreclosures). But their own justifications do not hinge on the morality of survival juxtaposed against unethical institutions. Remember that Lifestyle Appropriators predominately come from outside the city and as such experience the conditions of Detroit very differently than long-time residents. Instead, LAs frequently called attention to the prevalence of negligent property owners who fail to uphold the moral responsibilities of ownership. From this standpoint, private ownership is not the problem per se, but rather a “faulty” legal structure that 1) upholds ownership when it is not done responsibly or productively; and 2) that does not legally permit re-appropriation of un-cared for property.

The way that Lifestyle Appropriators justify illegal appropriation hinges on the idea that legitimate property ownership requires productive use and investment. In this way, LAs’ justifications for violating property laws are reminiscent of the tenets of the Homestead Act, which granted early settlers of the US legal right to property so long as they productively used and improved it for an extended duration (five years). For example, salvager Knox explained that,

[Salvaging] is more of a... mindset in relation to finding material that’s out in a state of disuse, recognizing that you can put it back into use, by mixing your labor with it to use a formulation from Locke... Taking something that has unquestionably fallen to such a state of disuse, that it’s like fruit that’s rotting on the ground. And the existing norms and laws and rules say it’s illegal to do that.

Knox uses a Lockean framework to explain his salvaging practices, gesturing to the idea that mixing one’s labor with property justifies appropriation. He explains that he feels right

salvaging materials from abandoned buildings because he believes they were literally being wasted. He views his practice as having rescued a valuable resource from waste, putting it to good use in his own property as he invested in it. For LAs like Knox, salvaging is a practice that treats the ruins of the city as a resource for just appropriation and an opportunity for subsequent investment. Knox, William, and other salvagers do not occupy the property they appropriate, but invest in them by mixing their labor with the appropriated property to create something of value.

Homeowners Fern and Rita farm nearly an entire city block in a very blighted neighborhood. Fern grew up in a suburb just beyond the Detroit border, and Rita emigrated from Europe. They both have fulfilling but low-paying jobs in the city, and a rental property in another area of the city. They moved to their East Side neighborhood after a friend offered them a very run down house for free situated in the middle of all the vacant lots. My first glimpse of their property was in the middle of winter, and it was so dark out I could not see the garden, but I later got know the space when I volunteered there for several months with other local residents. Inside, their house was cozy and eclectic, with mismatched cabinets, molding, and doors taken from houses nearby. Fern offered me my first taste of home made kombucha while we sat in their warm kitchen, heated by a little wood stove they had built in the center of the small room. They reflected upon how they felt about the fact that squatting vacant lots in order to farm them violated property laws. Fern said, "It's just sitting there empty, why not plant some fruit trees or something? It's only a good thing," indicating that productively using "wasted" property justifies breaking the law.

John, the homesteader, explained how he felt about the fact that he had been illegally occupying his house. He said, "I think in this situation it's totally good. I mean, the person who owned it, you know, he legally owned it – he didn't morally have a correct stance." John is referring to the former owner of his property who had purchased it as part of a bundle of fifteen properties at auction. Only wanting a few of those properties, the former owner never even visited the house John was occupying. John's believes his practices are moral even though illegal. Like most LAs, John does not fault the institution of private property per se, but instead finds problematic that the law protects the rights of owners who are not caring for or productively using their properties.

Allen, the homesteader and farmer in northwest Detroit, discussed his house and the lots he occupies:

[I]t was abandoned for years. And at some point you've lost your rights to it... legally I don't know... it was technically not legal but... I feel no harm taking these lots...and doing something great with them... you've lost your rights; sorry but you know if you're not going to take care of your property, it's not yours anymore.

Allen knows that he technically does not have the law on his side, but re-articulates what the right to property should mean.

In my study, appropriators knowingly and actively violate property laws. But, their justifications link their individual practices with what they see as the larger problems in Detroit. LA's and NA's have different epistemological frameworks for interpreting their illegal activities. Lifestyle Appropriators, from their more privileged position, identify flaws in the law and its application, and manipulate the meaning behind property laws in a way

that aligns with their practices – they feel they are upholding the spirit of the law, which justifies violating the letter of the law.

In contrast, Necessity Appropriators, as a social group more subject to the law's repressive and manipulative power in their daily lives, do not manipulate the meaning of the law.³⁷ Instead of articulating their visions of what just property laws would look like, they blame widespread structural breakdown and authority law breaking to justify their own. The problem is not property law per se, but rather their lack of access to or inclusion in this legal relationship. They break the law because they cannot meet their needs through legal channels.

Discussion

This chapter has illustrated two ideal types of property appropriation that reflect informal use-value claims to property. Necessity Appropriation, carried out by marginalized longtime residents or newcomers who do not wish to be in Detroit, lays claim to property as a resource for solidifying the economic imperatives of everyday life. Lifestyle Appropriation makes claim to property for its utility in finding meaning and pleasure in everyday life, carried out by outsiders who are alienated from dominant consumer culture. Lifestyle Appropriation treats the conditions of the city as a blank-slate opportunity for creating a fulfilling life.

³⁷ In interviews, NAs often told story after story of unfair, illegal treatment by police and local authorities. These experiences are consistent with prior research demonstrating the prevalence of police intervention into the daily lives of poor urban residents, especially minorities (see Goffman 2009 for example).

These differences in the NA's and LA's practices are influenced by habitus.

Appropriators' habitus is shaped by a constellation of factors including location (where they are from and live), their different forms of capital (race, education, connections in the city), and their own biographies. Even though located in the same city and same neighborhoods, appropriators come from different social groups. This means that they experience the conditions of the city differently, and interpret those conditions and the possibilities therein differently as well. This is how social knowledge forms "what a place is" and "what a place can become."

Conclusion

Entrepreneurial interests in property (exchange value) are not very present in distressed neighborhoods of Detroit. And legally-codified use values claims (e.g. by renters or homeowners) are not representative of the varied claims made on property. Informal, underground, alternative use-values arise in this context, which begs a more inclusive consideration of how these dynamics play out. In Detroit, there are not just legal or illegal claims made to property. Instead property is valuable in a variety of ways that are not captured by the law. The opportunities for informality in a city like Detroit lends to the rise of creative, re-imagined, self-help, survival, pleasure, and artistic use-values. The declining city is not adequately explained as the product of conflict between residents' and entrepreneurs' claims to urban space, but instead produced and reproduced by the dynamic among various groups representing a variety of legal, illegal, use-value and exchange-value property claims.

Chapter 5

The Temporality of Property Relations in Everyday Life

A declining city like Detroit provides a natural experiment-like setting in which to examine the non-legal factors that influence property relations, because property laws are unreliably enforced and informal/illegal property use and occupation are prevalent. In this context, I find that temporality – the apprehension, experience and practice of time – is more influential for the character of informal property relations than the law. Furthermore, this temporality is influenced by the social position of appropriators (e.g. varying levels of privilege and marginality). Scholarship predominately studies property from a legal perspective, defining it as a bundle of rights held by a legal owner. Socio-legal scholarship has considered the way the meaning and function of property is shaped by spatio-legal factors. In this chapter, I suggest that property be considered a spatio-temporal legal concept, and demonstrate the utility of this perspective by examining how time influences property relations in Detroit. Temporality is a non-legal factor that influences property relations, and may help explain property outcomes that are black-boxed by the ardent focus on property's instrumental and constitutive influence in everyday life.

Law in Everyday Life

Socio-legal scholarship has focused a great deal on understanding the meaning and function of law in everyday life. Generally speaking, there are two dominant theoretical

approaches to doing so. An instrumental approach views the law as an external tool for organizing the social world, and thus explores the extent to which the law is doing what it is designed to do. The constitutive approach considers the way the law shapes social organization, behavior, and even our own self-understanding. An instrumentalist approach to studying a property-related issue might ask, “Do nuisance laws and building code enforcement effectively stabilize a neighborhood’s built environment?” A constitutive approach to property might ask, “How do building codes influence everyday expectations of property owners’ level of care for their property?” But scholars have also argued that in order to really understand how the law influences everyday life, research must consider the influence of non-legal factors (Levine and Mellema 2001; Silbey 2005) for explaining legal outcomes. For example, research finds that the significance of meeting daily needs is often more influential than the threat of punishment for legal violations (Levine and Mellema 2001; Sarat 1990), or that spending time in jail is not a deterrent nor carry a negative stigma for marginalized populations (Levine and Mellema 2001). Even personal commitments to being a good parent influences how low-income mothers navigate the legal regulations of the welfare system (Gilliom 2001). The local context also impacts the way law shapes everyday life, and the understanding and practice of legality by residents (Blomley and Clark 2013; Mezey 2001) The “life of the law” – the way residents experience and understand the law as they choose to invoke, avoid, or resist it (Ewick and Silbey 1992:737) – under conditions of urban decline is likely different than in other settings. Strained municipal budgets and over-burdened authorities reduce effective, reliable law enforcement. In this context, other structural features, normative frameworks, and

everyday practices increase in significance relative to the law for organizing the social relations of property.

Property Definitions and the Law

Legal scholarship considers property as a bundle of rights held by the owner. With regard to real property (land, housing, buildings), this bundle of rights adjudicates relations between people and spaces, and therefore people with each other (as all social action must take place somewhere.) Property rights give power to owners, who can dictate use, allocation, and control over a given space and its resources, and excludes others from it. Liberal theory conceptualizes private property as a fundamental right that protects individual freedom - *my* property is a space of freedom to be as I wish, do as I wish (so long as my actions don't harm others!), and to solely control and benefit from. These rights are tools of power for property owners (Carruthers and Ariovich 2004).

A less common approach by socio-legal scholars is to conceptualize property as a spatio-legal concept. Legal geographer Nicholas Blomley (2014) explains that real property carves up space into defined and bounded areas. On one hand, real property is a legal product insofar as the law delineates and regulates these boundaries, codifying the cartographic space of property, and thereby influences the meaning and practices associated with that property (e.g. by regulating zoning and land use, and codifying personal relationships to property). But equally significant is that the relationships, processes, and actions that take place in the space of property give it meaning (Blomley 2014, 229). The space of "my family home" is created by the laws that define and enforce my legal ownership of that property, by the municipally-drawn cartography of lot lines and

zoning codes that dictate boundaries and sanctioned uses, and through the processes of family formation that create it as a *home*.

Local conditions have been found to influence the law in everyday life, and a context like Detroit impacts the spatio-legal dimensions of property. Spaces of ruin (like declining cities with an abundance of abandonment and blight) embody processes of change and visual markers of passing time (Edensor 2005; Steinmetz 2008). In Detroit specifically, George Steinmetz points out the way that time is reflected across the legal cartography of the city. As “nature” retakes the city, the legal boundaries and demarcations imposed by planners and city authorities begin to disappear: lot lines are erased and the public space of sidewalks becomes indecipherable from the private space of a yard. Zoning regulations and municipally defined use is indistinguishable in piles of charred rubble from burnt down buildings. Time, space, and the built environment interact at the city-level to influence collective perceptions of Detroit (Steinmetz 2008). The passing of time can decrease the visual presence of the law, and other informal, non-legal dynamics influence the meaning and function of the space of property.

In a context like Detroit, the law’s role in defining the space of property and constituting its meaning diminishes. This implies two things. First, presumably the spatial facet of property would become more central for property’s meaning and function. For example, the space of a squatted farm and the processes that take place there are more central to the meaning of that property than lot lines or zoning regulations (which are entirely disregarded). Second, it is likely that other non-legal factors increase in significance in ways not possible when the law is regulating property at full capacity.

Time is metaphysically inseparable from space (even though scholars conceptually separate them). Insofar as all actions must occur some *place*, they must also happen some *time*. And if the significance of the spatial dimension of property increases relative to the law diminishing, then so must property's temporal dimension. This means that sociological research needs to attend to the time and temporality of social life. The "spatial turn" in the humanities and social sciences has brought space to the forefront of sociological research. The discipline has become comfortable with terms like "spatial" and "place," and it is well understood that space is constitutive of social life in ways similar to race, power, or health. It's about time we cultivate a similar interest in temporality...

Sociology of Time

To philosophers, space and time go hand in hand: in order to experience anything or have a world that stands out as significant, we have to be in space and time (Heidegger 1962; Kant 1998). But with the exception of Sorokin and Merton's (1937) *American Journal of Sociology* article, top sociology journal articles have not attended to time in the same way as they have space. In sociological scholarship, time is addressed tangentially through research on historical sociology, methods (e.g. events, processes, narrative, life-course), macro-level theories of social change, and labor studies (e.g. Fordism, time-use).

But, in many ways, day-to-day aspects of life are as temporal as they are spatial (if not more so) – time organizes everyday life. We heed to time as much as space: the clock wakes us up, we are late for work, it is grandma's birthday. Space and time are intricately intertwined. Ultimately, while life is carried out in space, life begins and ends in time (birth

and death). Heidegger's *Daseins* are "beings towards death;" life has meaning because it will end (Heidegger 1962:279–311).

Time organizes everyday life through the discretization and measurement of passing time via the calendar, weeks, days, hours, etc. The invention of the clock, and proliferation of measured time is "the essential technology of modern life" (Greenhouse 1989:1633). Marx articulates the way in which the compartmentalization of time under the capitalist mode of production shapes the standpoint of workers' lives:

Through the subordination of man to the machine the situation arises in which men are effaced by their labour; in which the pendulum of the clock has become as accurate a measure of the relative activity of two workers as it is of the speed of two locomotives. Therefore, we should not say that one man's hour is worth another man's hour, but rather that one man during an hour is worth just as much as another man during an hour. Time is everything, man is nothing; he is at the most the incarnation of time. Quality no longer matters. Quantity alone decides everything: hour for hour, day for day.... (Marx 1995:58–59)

Marx and others conceptualize time as a tool of government, power structures and social control (Deleuze and Guattari 1987; Greenhouse 1989, 1996; Lukács 1971).

Sorokin and Merton (1937) argue that the time of the state is just one kind of "social times" – the multiple meanings of time not captured by technologies of time measurement. Family time, work time, or time for God, for example, are all different temporalities (the way that individuals apprehend time (Iparraguirre 2015)) that one might experience throughout a given day or even simultaneously. Durkheim further distinguished between the "rhythm of my individual life" and "the rhythm of a life which is not that of any individual in particular, but in which all participate" (Durkheim 2001:337) or, a collectively cognizable construction of time.

Anthropological research has found that experiences of time vary greatly and can be culturally specific, that plural temporalities may co-exist or contradict each other, and that there are multiple forms of time-reckoning (see (Munn 1992) for examples). In these ethnographic accounts, time is not just treated linearly (e.g. past, present, future) nor simply as a measured concept (e.g. 11:00 pm). Instead, research focuses on the temporal relationships that characterize actors' experiences and actions as processes, sequences, and rhythms, for example.

In this chapter I explore the way that Lifestyle Appropriators' and Necessity Appropriators' relationships to the space of property are influenced by different temporalities. The actions by which they establish a relationship with property (via appropriation) are characterized by different *paces* and *trajectories*. In this context, what property is and what property can become is not dictated by property rights or laws. Instead, in the absence of legal regulation, the meaning of the space of property is shaped through the pace and trajectory of property appropriation. Time is a non-legal factor that shapes property relations, and may be obscured by legal property regulation in other contexts but not necessarily eliminated. Like other studies of law in everyday life, legal property outcomes may be more fully explained by considering the import of non-legal factors.

Framework for Studying the Temporal Dimension of Property

This analysis builds on three theoretical positions: space and time are metaphysically inseparable; that the temporality of everyday life differs for different individuals and social groups; and that time influences actions. First, recall that Blomley's

socio-legal definition of property is that it is created (in part) through the relationships, processes and actions that take place in a space. Insofar as all action takes place in space *and* time (Valverde 2014), then time is also central to the formation of property – what property is, how it functions for users, and the significance and meaning of that space. Second, time is central to understanding the “social, economic and worldview organization” of a given social group (Iparraguirre 2015:2). At the individual level, time is bound up with habitus. What the world is and can become is shaped in part by past experiences, current circumstances, and future projections. Third, the temporality of social action can be conceptualized in different ways. Munn explains that in action or practice-based models of time “the subject does not perceive or conceptualize time, but is situated within space and time and constructs the time and space she is in,” (1992, 5). In Bourdieu’s concept of *practice*, the subject considers different ways for formulating the future but is “experientially anchored” in her present habitus, which is historically formed. Thus, *practice* engages the past and present in actions, which are futurally projected (Bourdieu 1977; Munn 1992:106–107).

I use the term “temporality” (or “temporal”) to refer to the apprehension of time, as distinct from measured time (Iparraguirre 2015). By “apprehension” I mean the embodied experience, perception and enactment of time in everyday life. I might write, “the temporal relationship to property” which refers to the way that time is implicated in one’s actions and/or thoughts with regard to property, and influences the character and practice of that relationship. In order to examine how time influences what property is and what property can become, I study the *pace* (the way time constitutes current practices and everyday

rhythms) and the *trajectory* (how the future is envisioned and how this vision impacts current practices) of property appropriation.

In the following examples, researchers study the pace of everyday life, and the way perceptions of past and future influence current practices, which motivate the temporal concepts I use in this analysis. Also, by temporally analyzing “spatial” topics, these studies highlight the way that spatial and temporal factors interact to constitute social phenomena. Paiva et. al (2015) study the “pace” of everyday life in an edge city, and how residents manage “fast and slow times” (i.e. the hurried pace increasingly required to keep up with home, family, work, leisure, etc., and concerted efforts to slow down the rushed pace of everyday life). The authors argue that the ability to control one’s pace (speed up or slow down) is in part due to the way residents mobilize local resources, which are place-specific. For example, residents can control the pace of life by paying someone else to complete tasks that take up their time (like house cleaning) or by having access to efficient transportation.

In everyday language, pace most often refers to stepping, or one’s gait: one can walk with a brisk pace, or slowly pace back and forth, for example. While pace often implies a repeated or consistent rhythm, I use the term for its reference to a *manner of acting*. In this chapter, “pace” refers to the temporal “manner of appropriating.” But similar to Paiva et. al (2015), pace references the character of present or unfolding actions.

Other research has found that both past experiences and future expectations influence current practices. Lazar’s (2014) study of union activities in Buenos Aires investigates the temporal experience of social movement actors. The focus of social movement research is often implicitly or explicitly spatial, e.g. networks, struggles for

inclusion, the commons, or the right to the city (Lazar 2014:92). But Lazar finds that two co-existing temporalities, historical time and attritional time, characterize activists' experiences of social movement activism. Relevant for this discussion is that his conception of "historical time" roots current practices in a past-future narrative. That is, activists understand their activism as building on past events and being directed towards future possibilities. Relatedly, Edmondson (2000) studied the temporality of a "traditional society" in rural Ireland. He found that contrary to popular assumptions, this traditional society is not organized around the past but instead that daily practices and social behavior are informed by conceptualizations of the future.

I use the term "trajectory" to describe a similar phenomenon in my data. Trajectory describes the path of movement through space as a function of time. In physical terms, we could think of this as the slope or arc of a projectile being launched, which is influenced by external conditions as it moves through time (like gravity in a physics equation, or the way winning the lottery alters an individual's trajectory in the social world). I use the term trajectory to refer to how expectations or conceptualizations of the future are implicated in the immediate, unfolding practices of appropriators. A simplified example would be that new home buyers' expectations of having children in the future influences what house they decide to buy in the present. The path or "arc" appropriation will take as time moves forward is set up (but not determined) by conditions present the moment that trajectory begins.

This analysis finds that the temporality of property appropriation differs for Lifestyle and Necessity Appropriators. They might use and/or occupy the same spaces (vacant houses, abandoned buildings, etc) in the same city, but they do so with very

different *paces* and *trajectories*. What property is and what it can become is influenced by the temporality of social action and experience that takes place in the space of property. The temporality of appropriation is not just linear (for example, as a specification of what in their past motivated them to begin appropriating property or what appropriators want to do with property in the future). Time is implicated in their actions, in the way they appropriate, and is reflective of and reproductive of their habitus, and shapes the meaning of property. The following vignettes illustrate how I use these terms, and how the space of property *is* and *becomes* in relation to the temporality of appropriation.

Property Deconstruction

---- Scrapping (Necessity Appropriation)

The old warehouse becomes a scrap site when a desperate, unemployed person breaks open the walls looking for metal to sell. He needs to pay the electricity bill tomorrow so his children will have a warm house. His pace is urgent because his manner of acting within and on the property is pressing and vital, because appropriation fulfills an immediate need. The abandoned warehouse becomes a source of income for him and a source of comfort for his children at home. He quickly realizes the utility of that property by exchanging pieces of copper pipe for money at the scrap yard. The property comes into his possession, and he quickly passes it on in order to fulfill his need for money: his trajectory with the property is immediate.

---- *Salvaging (Lifestyle Appropriation)*

This same space - the same old warehouse - is constituted differently when a young woman and her partner step gingerly through the doorway into the rubble. They look around slowly, and walk carefully through the building searching for the right pieces to rebuild the kitchen in the house they just purchased at the property auction for \$500. Their pace is deliberate. They look at one old door, then another, comparing, measuring, and deciding which one is right. The couple picks out two doors they like, load them into their truck and take them home. There, they spend hours cleaning, sanding, and staining them back to their original beauty and install them in their kitchen. The doors become part of the property they own, in a room they will use every day. Their trajectory with the property is distanced, because that initial act of appropriation embodies the expectation of a future relationship to that piece of property.

Property Occupation

---- *Squatting (Necessity Appropriation)*

An abandoned house becomes a squat when a mother and her children find themselves evicted from their apartment. The only shelter in town that will allow the older boys to stay with their mother and sister is full. A friend from church says that the bank just evicted a family on her block, so they find the house, pry open the back door and go inside. The pace of appropriation is urgent because they have a pressing need for shelter. They move in the few belonging that they could fit in their car, and over the next few days they clear out the leftover items, save some that are usable, put a piece of pressboard over the broken kitchen window, and hustle up fifty dollars to get the heat turned on illegally. They

stay for six months until mom secures a Section 8 apartment and they pack their things back into the car and move again. Their trajectory with the property is immediate because it fulfills their critical need for security, space, and privacy. And when that need is gone - be it one day, six months or three years - they leave the property. There is no future expectation embodied in that initial act of appropriation, only the immediate need that must be fulfilled.

---- *Homesteading (Lifestyle Appropriation)*

That same abandoned house three years later, having been neglected by the bank and subsequently scrapped, becomes a homestead for a few friends from Muskegon who graduated college and decide to move to Detroit. They drive slowly down the street, looking at the other houses to see if they are occupied and by whom. They pull into the driveway of the house and walk around to the back in search of an open door or window. They pull the board off of the broken kitchen window and climb through. They wander through the rooms, remarking about its conditions, admiring emblems of its past. Their manner of acting – their pace – is deliberate. This one has four bedrooms, the last only had three, they note. They consider their options, debate the decision, and finally decide that the space of the abandoned property will become their homestead. Their trajectory is distanced: they intend to stay, and this futural projection is expressed in the purposive character of appropriation. They board up the other broken windows and paint them lively colors. They purchase a water heater. They build a furnace out of a five-gallon drum to heat the first floor. The next fall, when the property comes up for auction, one of them buys it for \$500. The friends pick this property, choosing it from among other options. They decide it

will be the place for them to remain, to improve, to labor over and to love. It becomes home, and later one secures legal right to the property.

Temporality of Lifestyle Appropriation: Deliberate and Distanced

Lifestyle Appropriation makes claim to property in order to meet lifestyle goals, to create *the good life*. This means that LAs choose this option among other ways of living, and want to maintain the lifestyle they have created. Lifestyle Appropriation is carried out with a deliberate pace and distanced trajectory – they have the time to deliberate what property to appropriate, make measured choices to do so, and appropriate in order to continue a relationship to that property for the foreseeable future.

Consider married couple Fern and Rita. They were living in Southwest Detroit with their young children, when a friend offered them a free house on the east side of the city that was situated in the middle of a nearly vacant city block. They accepted the house, which was in such poor condition it was on the city's demolition list. The whole house had been scrapped, it had no windows, no roof, fire damage, and it was "full of crap," according to Fern. Rita said they had to completely redo the plumbing and electrical systems. They began gardening on the vacant lots almost immediately, but remodeled the house over the course of about seven years. While remodeling, they stayed in a house they owned in Southwest Detroit and subsequently rented it out.

While explaining why she felt their illegal practices were justified, Rita articulates the distanced trajectory with which she and Fern related to the vacant lots they took over:

Our intentions were... to have them and to have them forever. So it was fine... And we always had the intention of making it home, you know like this is our home and this is where we want to feed ourselves and feed our children and

so it seems like that's such an honest and legitimate reason to, to take a space. You know if we had been like; oh let's build a condo and then turn it over, you know like if it was just for the sake of money or exploiting something I think it would be different, but... we always just felt completely honest about it all and so that made it not even a question in my mind if it was right.

From the beginning, Fern and Rita were intent on establishing a long-term relationship with these properties in order to garden and grow food for their family. Gardening in and of itself is indicative of a distanced or long-term vision because it takes time to prepare the land, plant the seeds, and to reap the benefits of one's time and labor. Fern and Rita started planting a garden right away, being confident that they would maintain a relationship with this property long enough to benefit from significant time and labor investment in the vacant land.

Motivated by a tight budget and a desire for uniqueness, creativity, and avoiding consumerism, Fern and Rita salvaged most of the materials for their house from abandoned properties nearby. Fern gestured around their eclectic kitchen and said, "Like all this woodwork, I took all this woodwork out of houses." While explaining how they decided what properties were appropriate to salvage from, Fern said:

The difference is having a door opened or a door closed I think, you know? Like we'd never go and open a door where there's a door closed... and even if it's open, I can remember circling around like; oh that's been open for a couple days, well let's see in about a week.

Fern's explanation illustrates the slow, methodical pace of salvaging materials for their house. Having a stable place to live (their own home) meant that moving into the new property was not urgent. Over a span of seven years, they carefully sought out the right materials, and made sure they only salvaged in a way that adhered to their ethos of acceptable appropriation (see Chapter 3). Their trajectory with the property they salvaged

(the doors, trim, shelves, etc) was also distanced because they appropriated it in order to fix up the house where they planned to raise their children.

Homesteader and farmer Allen was living abroad when he decided he wanted to try his hand at urban farming. Upon returning to metro Detroit (he grew up in the suburbs), he stayed with a friend in his new neighborhood in Northwest Detroit for several months, learning the craft of farming while searching out the right place to start his own farm and homestead. For Allen, appropriation was a measured choice, so much so that he spent several months preparing for it.

Allen chose a house that was several years delinquent on its property taxes and might soon be available to purchase through the county property auction. The house had nearly a dozen vacant lots to one side and more across the street. Allen asked his new immediate neighbors if they minded him occupying the abandoned house before he began to rehabilitate it. Allen's house needed everything from plumbing and electricity to windows and drywall. He did not salvage many of the materials for his home like Fern and Rita did. Instead he remodeled it with as little monetary investment as possible (since he did not yet legally own it), but invested significant time and labor by doing most of the work himself.

While speaking with Allen, I accidentally used the term "squatting" and he interrupted me to clarify:

So I still take issue with that term squatting because I think, I really do think there's two classifications...cause I've seen squatters, they just come into a house, they destroy it, whatever, they don't care... But this [he gestured around his kitchen where we sat] is like settling down and you may or may not be there forever but you're going to leave the place better... So I, I hate the term squatting. I mean I think there's a legitimate squat. If you're going into a place and you're just using it and you're destroying it or you're just

using it with no intention of making it better, of claiming it eventually then yes that's squatting.

Allen took issue with my referring to his actions as “squatting.” Instead, he specifies that homesteading entails “settling down” and “claiming it eventually.” Allen’s own definition of his actions signifies a distanced trajectory. Allen eventually purchased the house he was occupying and one of his farmed lots. He chose to farm and homestead, and because he enjoyed them, Allen wanted to continue using the property that provided this lifestyle for the foreseeable future.

LAs relative privilege and stability (in comparison to NAs) allows them to act more slowly, methodically, and purposefully when they claim property. They have options: Do I start an urban farm? Or go work at my father’s law firm? Do I homestead or stay living in my parents’ house? Finally, LA’s actions embody a futural relationship with the property they appropriate. For salvagers, this means that the property they take is used to rebuild the house they own; or will be invested with their time and labor to create a piece of art. Even if that piece of art is sold in the future, they still have a distanced trajectory to the property because they claimed it with a futural purpose: to sell the art, to show it in a gallery, or to hang in their house. For homesteaders and gardeners, the clearest signal of a distanced trajectory is the desire to legally own the property (and the ability to purchase it). Many homesteaders and gardeners relate to the property as if they own it from the beginning by investing time, money, and labor. Even if that property is sold in the future (as Allen did after about four years), appropriation was carried out with a distanced trajectory by investing in a way that is only beneficial if one can realize its use-value long-term or exchange-value (by selling it) in the shorter term.

Temporality of Necessity Appropriation: Urgent and Immediate

Necessity Appropriation is undertaken as a last resort, the least-worst choice among constrained options for meeting needs. This means that NAs do not want to be surviving via property appropriation, nor do they want to have to continue these practices, which for them are often much more difficult and dangerous than they are for LAs. The pace of Necessity Appropriation is urgent because appropriation fulfills pressing needs.

TJ was desperate for a place to live, and asked his daughter if he could live with her and her children. She told him that she was moving to Florida, but that the landlord had stopped coming by to collect rent and a foreclosure notice had been posted on the door several months prior. TJ moved into the property as his daughter and her children moved out. TJ expressed his feelings about breaking the law while occupying the house and having illegal utilities hooked up:

I'm surviving right now. I'm living. As long as the good Lord waking me every morning and I can [get] out that house, then I'm fine, really, for right now until I can get better on my feet. Then once I'm on my feet, hey, you know I can look back and say, well this is something I experienced, you know.

The urgency of surviving means that TJ's horizon is very short-term: waking up in the morning means he's fine for *right now*. When he does reference the future, it is not one wherein he is still illegally occupying property. Instead, he envisions a future wherein he looks back on this experience as something he has moved on from. His trajectory with the property is immediate because maintaining a relationship with the property does not fit with his goals.

I pressed him to speak more about "the future" and TJ reiterated more explicitly, "I don't want the house... I'm trying to get with somebody so I can get some subsidized housing, Section 8 or something. I'm getting out! Oh yeah." Then he added:

And you know, it might be up in the air, but you know I want to just get me a stable place. I would like a nice upstairs place you know and everything, like these ones that's right here off of Vernor... I got a friend that stay over there and he paying \$95 a month and he got two bedrooms. One of the bedrooms is a master bedroom with a walk-in closet. He got a nice-ass kitchen with a refrigerator, stove, and dishwasher and brand new, plus a washer and dryer in his unit.

TJ's goals for the future are in some ways very simple: a stable, comfortable apartment. But in the immediate he has an urgent need for housing. TJ does not try to fix the leaky pipe in his basement because the flooding it causes is viewed as a temporary inconvenience that he hopes to move beyond, just like the property. He does not invest significant time or money in part because he does not have the latter, but because he is always ready to leave (always *wants* to leave).

For Necessity Appropriators, squatting is another form of insecure housing that is unique to cities like Detroit. Like most homeless persons, squatters in my study actually cycle in and out of outright homelessness and other insecure housing situations (Piliavin et al. 1996; Wong, Culhane, and Kuhn 1997). Illegal appropriation allows them access to property when they cannot secure another more desirable form of shelter like renting. This instability is evident in Leslie's explanation for why she moved out of the last house she squatted:

I had got into another program that they moved me into Midtown, into a beautiful apartment and they said they would pay my rent for a year. And I figured, okay if they pay my rent for a year, I can find a new job by then and blah, blah, blah. So I moved into this beautiful three-bedroom townhouse in Midtown and they informed me that we could only pay your rent for six

months... So I was thinking about moving back in that house... but someone bought it...

Leslie moves at a moment's notice when the need arises. She stops and pauses – for an unknown span of time – in a squatted property, before securing another form of shelter and moving out again. For NAs, illegal occupation becomes a stepping-stone – temporary but necessary – to get by in between other more stable forms of housing.

Unlike TJ, DeAngelo hints that he might like to own his squatted house. Recall that DeAngelo had been squatting his house for four years without water or electricity. Prior to that he was at the Salvation Army for three years and the Detroit Rescue Mission for several years before that. DeAngelo has been chronically homeless for at least a decade from what I could piece together of his story. He has not been cycling in and out of homelessness and other more or less stable housing situations like many other squatters in this study. As such, when DeAngelo *does* envision living in his squatted house in the future, it is because squatting is the best option that enters the realm of possibilities for him. He does not try to qualify for housing assistance because he does believe he would qualify for any. He does not ask relatives to live with them again because, as he explained, he is a grown man and cannot live under anyone else's roof. Instead, DeAngelo pauses precariously for as long as he can out of a desperate attempt to avoid shelter life again. While we talked he asked: "You think if I go downtown they give me the deeds to this place?" I explained the fifteen-year requirement for adverse possession in Michigan, and then ask if he's ever tried to find out if his house was for sale at the auction. He shakes his head and laments, "Where am I gonna get \$500?" Even though DeAngelo wants to continue squatting, the overall instability that characterizes his life prohibits acting with a distanced

trajectory by investing, improving, or solidifying legal right to the property. He cannot settle, as a homesteader would do.

For scrappers, property appropriation is also urgent and immediate. Bond explains searching for work after losing his job in 2007, “If you do put out for a job it might take a year before they call you. You know, light company ain't going to wait on you... you can take iron to the scrap yard and get money daily.” Scrappers urgently need money – a source of income – for survival. Because of this, their relationship to the property they appropriate is one of immediacy. When Bond takes copper pipes from a house for example, he does so in a manner that makes the process as quick and easy as possible: he cuts up the pipes for easy extraction and transportation to the scrap yard. These pipes are a source of income that he will realize as soon as possible, and the way he acts with regard to the property is influenced by that short-term horizon.

Necessity Appropriators relate to property with an urgent pace and immediate trajectory. Squatters may live in a house for a number of years, but the way in which they act with respect to the property indicates that their horizon does not extend far into the future: they do not purchase a water heater because they have no idea how long they will remain in the property. Similarly, scrappers do not appropriate property in order to keep it; they realize the use-value it has for them by immediately exchanging it for money. Because NAs lack the social or economic capital necessary to make ownership more than a speculative dream, they do not presume a future relationship with the property.³⁸

³⁸ NAs do not presume they can finagle their way into legally owning a property they have been occupying illegally. LAs commonly said they would go to court, make adverse possession claims, or track down the legal owner and press them to sell, illustrating that they feel they can navigate around obstacles to legal ownership.

Discussion

This chapter has analyzed a non-legal factor that influences property relations in everyday life. The temporality that characterizes the practice of appropriation influences the meaning and function of property. Further, this temporal dimension differs between the ideal-type categories of appropriation in my study, indicating that the temporality of these practices is influenced by social position (e.g. levels of privilege or marginality; one's habitus). More privileged appropriators (LAs) are deliberate in their appropriation – it is a measured choice. An abandoned property is not standing between them and immediate needs like shelter or income. More marginalized NAs need property urgently, to fulfill these basic needs. For them, property is a short-term stepping-stone, allowing them to get by in the immediate until a more desirable means of survival can be secured. NAs overwhelmingly express that they do not want to continue using or occupying the properties they appropriate. And the few that did want to remain lack the financial resources to secure their legal right to property. What this means for appropriators is that the meaning of property and, more broadly, what that property *is* to each category of appropriation is also unique. For NAs, the space of an abandoned house keeps them out of the shelter or the snow outside. For LAs, the space of an abandoned house keeps them out of their parents' basement. Property serves a different purpose in the lives of Necessity and Lifestyle Appropriators, and considering the temporality of property relations uncovers the depth of those differences.

Conclusion

In Detroit, lax legal regulation makes the temporal dimension of property relations easier to assess and enables a wide range of temporal relations to property. In other contexts the law may obfuscate these different temporalities, codifying and regulating only certain temporal relations to property. There is an underlying temporal relationship that property rights codify: long-term relationships (Marx 1970; see also Wood 2008). For example, consider that purchasing a house often requires a rather slow mortgage-approval process (which for some takes years to prepare for by saving money and improving credit scores). Various fees at closing mean that purchasing property is not a smart financial decision unless the purchaser intends to remain in the property for several years. Property ownership entails legal and moral obligations to care for property, and continued financial resources to do so. It is possible that differing temporal relations to property influence *how* actors enter into legal property relations – for example as renters, owners, or not at all. It is also possible that temporality influences *who* enters into various forms of legal property relations, given that the temporalities observed in this study are influenced by habitus. Prior research demonstrates that marginalized social groups – with histories of various instabilities – are less able to conceptualize or carry out plans for the future because pressing, immediate needs take precedence over long-term, future planning (Fieulaine 2014).

The temporality of property relations is a non-legal factor that may influence the outcomes correlated with legal property ownership, which are not necessarily caused by the home-owning relationship (DiPasquale and Glaeser 1999). For example, scholars have acknowledged that the causal relationship between property ownership and neighborhood

stability is unclear (McCabe 2013). Given that legal property ownership requires long(er)-term planning and expected future financial stability, it may be the case that actors who decide to purchase homes are also those who relate to property with a long-term or distanced temporality. On the other hand, consider Shlay's (2006) finding that low-income homeownership programs do not always bring about increased financial and residential stability, as program designs presume. Rather than homeownership stimulating a distanced temporal relationship to property, perhaps it is the temporality that actors' habitus engenders that mediates these property-owning outcomes. That is, it's not just that actors require financial resources to enter into legal property relations; they also need to practice and envision the temporality that legal property relations codify in order to benefit from legal ownership. There are likely many other non-legal factors that influence property outcomes, and further research on property in everyday life may help to uncover them.

Chapter 6

Regulating Informality, Reproducing Inequality

Urban scholars lament the ardent focus on models of urban growth for improving conditions in declining cities (Bernt 2015; Pallagst 2008; Pallagst et al. 2009). Recently in Detroit, massive private investment by local entrepreneurs seems to have reversed the decline of select areas in downtown and midtown. These changes have spurred new narratives about the rebirth of Detroit, with media headlines claiming that, “Detroit is Cool Again,”³⁹ and that it is “Better Than Any Other U.S. City,”⁴⁰ while hailing “The Spirit and Promise of Detroit.”⁴¹ While there is widespread anecdotal consensus that Detroit has hit rock bottom and conditions can only improve, the vast majority of neighborhoods have seen little meaningful change. Recent plans and visions for improving neighborhood conditions in Detroit seem to embrace some unconventional, creative strategies that do not rely solely on growth models. These plans coincide with the branding of Detroit as the wild, wild, Midwest, open for resettling by courageous, self-starting homesteaders and urban

³⁹ Susan Ager, National Geographic. 2015. <<http://www.nationalgeographic.com/taking-back-detroit/see-detroit.html>> Accessed 6/2/16.

⁴⁰ Ryan Nickum, "Detroit Is Better Than Any Other U.S. City And Here's Proof." Huffington Detroit. February 27, 2014 <http://www.huffingtonpost.com/ryan-nickum/detroit-is-better_b_4862037.html> Accessed 6/2/16.

⁴¹ Frank Bruni. "The Spirit and Promise of Detroit." New York Times Opinion Pages. September 9, 2015. <<http://www.nytimes.com/2015/09/09/opinion/frank-bruni-the-spirit-and-promise-of-detroit.html>> Accessed 6/2/16.

farmers who are willing to blaze the trail for Detroit to become the next Brooklyn, NY.

Realizing these new image ideals requires reinstantiating control over all of the vacant and abandoned property in the city in order to curb visible signs of property crimes and neighborhood disorder, and upholding property rights in order to convey that purchasing property in Detroit is a safe investment. Over the past eight years, new forms of regulation have been introduced in the city that aim to curtail certain kinds of informal/illegal property use while expanding opportunities for legal property ownership. These new laws, ordinances, programs and policy recommendations collectively constitute what I refer to as the city's new "regulatory schema."

This chapter analyses six examples of this regulatory schema, and assesses how they may impact illegal, informal property use by Detroiters. Research has variously demonstrated that regulating informal practices can be at best ineffective and at worst detrimental to informal actors' well-being, because there is often a cost to compliance (Larson 2002). Many marginalized actors use informal and illegal survival tactics precisely because they cannot afford to pursue legal avenues for securing income, housing, etc. In the case of illegal property use in Detroit, I find that the monetary cost of compliance is not the only obstacle to benefitting from new expanded avenues to property ownership. Instead, this new regulatory schema encourages and formalizes certain temporal relations to property while criminalizing and/or eliminating the possibility for other temporal relations to property. This has the effect of excluding more marginalized Necessity Appropriators from formalization, while more privileged Lifestyle Appropriators are able to benefit from it. Formalization in this case is often legal property ownership (of various kinds), which is a significant source of wealth for most Americans. The consequence is that the conflicting

temporalities of formal property regulation and informal property practices in Detroit is a mechanism for reproducing and/or exacerbating inequality.

Theory

---- Property and Inequality

Scholars have long noted that private ownership of real property is a key axis of wealth inequality (Earle 2000; Engels 1972), and is central for class analyses (Sorensen 2000; Wright 2002). Because property ownership is an asset that can be transferred upon death, property rights also have implications for the intergenerational transmission of wealth (Jianakoplos and Menchik 1997; Keister and Moller 2000; Keister 2000). Property rights also create unequal patterns of ownership, which exacerbates other inequalities. Racial-economic inequality has been impacted by the history of redlining in the U.S. that denied legal ownership of property (primarily homes) to racial minorities in the mid-twentieth century (Massey and Denton 1993; Stuart 2003). For most Americans, home ownership is their most significant investment and source of wealth (Pattillo 2013), but for large segments of the population, this source of wealth is out of reach due to structural and institutional obstacles.

---- Formalizing Informality

The combination of lax surveillance and authority oversight across a very abandoned spatial landscape creates conditions ripe for illegal property use. In varying ways, both marginalized and more privileged residents in Detroit take advantage of these opportunities. Mothers squat with their children, artists repurpose building materials to

call attention to structural disinvestment and blight, and teens use “bandies” as a hangout spot to smoke weed away from the watchful eyes of their parents. These are all examples of what Castells and Portes (1989) define as *informal practices* – illegal activities that have achieved a degree of legitimacy among a social group. While most scholarship on urban informality focuses on the global south, increasing social and economic inequality has motivated scholars in the U.S. to examine similar phenomena.

Research on urban informality in the U.S. has found that informal housing practices persist on the fringes or edges of some urban areas (Larson 2002; Sullivan and Olmedo 2015) and that informal economies are found in pockets of poverty or among impoverished residents in urban centers (Auyero 2011; Bourgois 1995; Duneier et al. 1999; Edin and Lein 1997; Venkatesh 2006). In the U.S. context, informality is interspersed throughout and interwoven with less economically marginalized zones where legal, formal regulation is reliable and effective. In developing countries or rapidly urbanizing regions of the global south, informality operates in a context wherein legal institutions and regulatory mechanisms are less reliable and their dominance less ideologically entrenched (Gardiner 1997). In mega-cities of the global south, Ananya Roy conceptualizes informality as a mode of urban planning, because these informal practices shape new laws and forms of regulation that are designed to accommodate them (Roy 2005). But in the U.S. context, because legal institutions and regulatory mechanisms are already structured and ideologically interpolated, they must just be applied.

Scholarship demonstrates that applying new laws or enforcing existing laws to regulate informality can be problematic. First, there are typically costs associated with formalization, and marginalized actors pursue informal means precisely because they lack

economic resources to do otherwise. For example, Larson (2002) examined the repercussions of a 1995 moratorium on colonias (informal, self-built housing developments) in Texas. Subsequently, new developments had to meet strict infrastructure requirements, which significantly increased the cost of lots where families self-built their homes. Residents who did purchase new lots post-1995 had little money left to build their housing, and more lots became informally subdivided and rented to accommodate for this increase in cost. This resulted in a reduction in the quality of self-built housing by new lot owners, and more temporary structures built by renters.

Second, regulation can differentially impact informal actors because of characteristics of their informal practices. For example, Edin and Lein (1997) investigated the potential impact of 1996 welfare reforms that imposed new work requirements for the single mothers in their study. Neither welfare nor low-wage work allows single mothers to cover their living expenses, so all engaged in informal survival strategies. They found that among the women in their study, some survival strategies were more commensurate with formal work than others. Specifically, they argued that network strategies (such as doubling up in apartments or relying on family for childcare) are more conducive to formal work, while side work is not (informal employment such as cutting hair in one's home for example). Moving from welfare to formal work would not allow mothers to continue side work, whereas they could still rely on network survival strategies while formally employed. Edin and Lein concluded that the implementation of 1996 welfare policy changes would differentially impact the women in their study according to the informal economic survival strategies on which they relied.

Expecting compliance with the law without addressing underlying economic inequality can be unfruitful at best, or exacerbate problems. On the other hand, not enforcing existing laws or new regulations runs counter to the liberal ideal of equality before the law. For example, states are not permitted to deny rights to individuals based on race or gender (this issue is prominent among critical race theorists and feminists (Williams 1991)) nor excuse individuals from complying with the law. However, this ideal is regularly violated in practice. Larson explains that, "Unequal enforcement of law and double standards are hallmarks of illegitimacy in our legal system," (2002:159). To use a relevant example, the city of Detroit is not legally permitted to only enforce building code compliance for residents who can afford to conform. But citing homeowners for not complying can only exacerbate the problem by adding another economic burden to poor homeowners. On the other hand, ignoring building code violations in poor neighborhoods (or other informal practices) risks undermining the law and sending the message that lower standards are acceptable for more marginalized populations (Delgado 1997; Larson 2002).

In Detroit, if the city were to enforce property laws, the problems of poverty and homelessness that contribute to illegal appropriation would not improve. Nor does that solve the problem of what to do with all the vacant property in the city. Yet officially permitting illegal appropriation risks undermining property rights and signaling that, for example, it is acceptable for poor residents to live in sub-standard housing conditions (though it could be argued that the current political conditions have already achieved this) or to engage in highly risky deconstruction practices. The new strategies for transforming Detroit embrace some unconventional approaches to handling property, and

are at face value progressive in their attempts to respond to local conditions and (some) residents' input. The aim is to improve the conditions of life in the city, but how these will impact the heterogeneous informal property use in Detroit unknown.

Plans, Recommendations, and Laws

In Detroit, local organizations have expressed a commitment to being attentive and responsive to local community needs in their efforts to spearhead re-imagining creative alternatives to dominant models of urban growth for managing Detroit's "property problem." In order to do so, substantial data collection has been undertaken in the form of community meetings, surveys of all the land parcels in the city, and on-going input from residents regarding property conditions via online "blexting" (blight texting).⁴² While many organizations (non-profits, charitable organizations, private actors with entrepreneurial interests, municipal agencies, etc) have contributed to this data collection and utilize it in various ways, two organizations are particularly important for this chapter: the Blight Removal Task Force and the new Detroit Land Bank Authority.

---- Blight Removal Task Force

The massive scale of vacant and abandoned property is a hurdle for Detroit: what to do with the more than 80,000 blighted properties in the city (Blight Task Force 2014:100)? Demolition is costly, and until the release of the Detroit Blight Removal Task Force Report

⁴² "Blexting" (a combination of blight and texting) refers to a mobile application wherein residents survey property and text-in photos and information about its condition (Blight Report 2014:10).

(hereafter referred to as “Blight Report”), the city was not even sure how many properties needed demolition. Stakeholders from the federal and city government, local businesses, charities and non-profits formed the steering committee of the Detroit Blight Removal Task Force. This task force was spurred by the Obama Administration’s 300 million dollar federal effort to work with the city on issues related to blight, public works, and safety.⁴³ Blighted properties are such an obstacle in the eyes of city authorities (and many residents) that the formation of the task force and the resulting Blight Report alone have been regarded as a huge step towards improving the conditions of life in Detroit. Several recommendations from this report are included in the analysis that follows.

---- *Detroit Land Bank Authority*

In 2008 the Detroit City Council established the Detroit Land Bank. Recently, Mayor Duggan’s office has revitalized it as the Detroit Land Bank Authority (DLBA) as part of the Mayor’s plans to improve neighborhoods in the city. A land bank is a public authority created to effectively deal with vacant and/or abandoned properties (with built structures and without) that are under its jurisdiction. The DLBA acquires property by filing nuisance claims against property owners. Owners have a limited time to respond to the claim and to

⁴³ The introduction of the Blight Report explains the mission the task force: “In September 2013, the Obama Administration convened the Detroit Blight Removal Task Force to develop a detailed implementation plan to remove every blighted structure and clear every blighted vacant lot in the City of Detroit as quickly as possible using an environmentally-conscious approach. The three appointed chairpersons (Dan Gilbert, Glenda Price and Linda Smith) led a team of experts from the city, state and federal government, public and private sectors and the foundation community to collect data and create a set of recommendations. Their findings and recommendations were shared with Detroit Mayor Mike Duggan, Emergency Financial Manager Kevyn Orr and Obama Administration representatives on May 27, 2014.” (Blight Report 2013:1)

abate the nuisance (e.g. tear down a collapsed front porch). If they do not, the DLBA legally acquires the property to either sell via auction or demolish. The DLBA aims to make unwanted property available for interested buyers, and to demolish neglected properties that are blighted. Houses around the city are auctioned off through an online system that displays photos, addresses, and an overview of expected repairs. Vacant city-owned side lots can be purchased through the DLBA's online system as well.

The chapter analyzes both legal changes (new laws and ordinances) and recommendations from the Blight Removal Task Force Report. This is in part because these recommendations come from a highly regarded task force (put together by the Obama Administration), but also because many recommendations from this report are included in Mayor Duggan's "Every Neighborhood Has A Future" plan for revitalizing the city.⁴⁴ The recommendations analyzed in this chapter are part of Detroit's new regulatory schema: curbing illegal property use while expanding opportunities for legal ownership. This schema is a plan or blueprint for achieving the city authorities' goals with property. Some of these recommendations are in the process of being adopted, while other may not come

⁴⁴ For example, similar elements of the Blight Report that have been included in the Mayor's plan are: Re-energizing the role of the Detroit Land Bank Authority (DLBA) as a strong agent for preservation, revitalization, and transformation of blighted properties in Detroit through a range of interventions, from stabilization of structures and returning them to private ownership to removal of hazardous conditions and dangerous buildings; Prioritization of Blight Removal through a range of approaches, from management of the Hardest Hit Fund Program to reawakening Detroit's code enforcement and nuisance abatement programs; Establishment of special programs to assist responsible homeowners; Numerous efforts to reform city and state legislation, not only to address blight and crack down on irresponsible property speculators and owners, but also to support neighborly actions such as community boarding, while closing loopholes that reward property theft in the form of scrap metal stripping, or that turn a blind eye to squatting and other illegal practices (Blight Task Force 2014)

to fruition. But these recommendations and recent legal changes are indicative of the city's overall approach to handling vacant and abandoned property, seeking to shift Detroit's property from a liability into an enticing feature of revitalization.

Detroit's New Regulatory Schema

I first visited Detroit in the fall of 2008, just as the recession was being named as such. I did not set out to study gentrification or urban transformation. But the timing of my research captured what may be viewed in the future as the turning point of Detroit.⁴⁵ I found my research straddling the de facto practices that have persisted in the city (and still very much continue), and the new regulatory schema that has arisen in response to these practices.

The new regulatory schema in Detroit embraces some creative, alternative strategies for handling vacant, abandoned property. It creates new forms of legal property use in the city, and increases opportunities for gaining legal access to property. It also seeks to curb illegal property use and property crimes, and clean up the city in an effort to make it more enticing to new residents (and improve conditions to retain existing residents). The new regulatory schema has not in any way subsumed or eliminated illegal property use in Detroit, so this chapter is not a recounting of what happened in the past nor an assessment of the new schema's efficacy. Instead my aim is to consider the impact of this regulatory

⁴⁵ see for example, Nathan Bomey, John Gallagher, and Mark Stryker. "How Detroit Was Reborn." Detroit Free Press. November 9, 2014.
<<http://www.freep.com/story/news/local/detroit-bankruptcy/2014/11/09/detroit-bankruptcy-rosen-orr-snyder/18724267/>> Accessed 6/2/16.

schema for existing informal actors. I analyze each new law, ordinance, and recommendation separately; discuss the motivation behind it and the potential outcomes for Necessity Appropriation and Lifestyle Appropriation. I analyze six recent changes that are illustrative of this new regulatory schema. The sections are titled: 1) New Scrapping Law, 2) Salvaging Detroit, 3) New Squatting Law, 4) Defining Blight and Redefining Occupancy, 5) Property Auctions, and 6) Growing Detroit. The following sections are organized as such in the interest of clarity, rather than chronologically or by type (i.e. recommendation or law).

1. New Scrapping Law

In April of 2014, a new anti-scrapping bill was signed into law that targets sales to scrap metal dealers. This law amended a 2008 law (MI HB 4593 and 4595) regulating the sale of metals at scrap yards across the state of Michigan (Muxlow et al. 2008). The this new law aims to reduce the incentives of scrapping by making it harder for “thieves”⁴⁶ to sell illegally acquired materials at scrap yards for quick cash, by making it easier for law enforcement to trace stolen material and prosecute scrappers, and by increasing the severity of punishment.⁴⁷ This scrapping law was supported statewide because it also

⁴⁶ Associated Press and Crain’s Detroit Business Staff. “Michigan Senate Oks Scrap Metal Bill, Snyder Expected to Sign.” Crain’s Detroit Business. March 20, 2014. <<http://www.crainsdetroit.com/article/20140320/NEWS01/140329993/michigan-senate-oks-scrap-metal-bill-snyder-expected-to-sign>> Accessed 6/2/16.

⁴⁷ This law: 1) restricts payment methods for certain commonly stolen items (like copper wiring), requiring, for example, that payment be mailed to a verified address rather than allowing an immediate cash payment (section 445.426); 2) creates a record of transactions to enable law enforcement to better prosecute scrappers (section 445.427); 3) makes the sale or purchase of certain property items prohibited, such as “public fixtures” like

addresses problems like railroad theft in rural areas of Michigan. In Detroit it was viewed as a way to increase regulation of scrapping in the city and hopefully decrease its harmful effects on the built environment.

A Detroit state representative who spearheaded the bill explained that the primary motivation is to curb the harmful effect of scrapping on the built environment – the destruction of buildings that often makes it cost-prohibitive to rehabilitate them.⁴⁸ Houses or buildings left empty are often completely scrapped out within days of residents vacating – sometimes even just while residents are away on vacation. Three key components to this new form of regulation are that the law, 1) only targets illegally appropriated property that is sold at scrap yards, 2) makes it more difficult to sell illegally acquired property and imposes harsher punishments for doing so, and 3) makes it harder to obtain immediate cash in exchange for scrapped materials. The aim is to curb scrapping that is considered harmful and detrimental to the city housing and building stock. Both Necessity Appropriators and Lifestyle Appropriators take materials from buildings, but only NAs try to sell the materials at scrapyards for quick cash. Rather than intervening at the point of de jure property theft, this law targets the point of sale at scrap yards, which impacts only Necessity Appropriators' practices. This law makes it more difficult and more risky for NAs

manhole covers, copper from transformers on light poles, and materials clearly marked as belonging to someone other than the seller (section 445.430); and 4) makes certain transactions a felony punishable with fines and/or jail time⁴⁷ (section 445.433) (Muxlow et al. 2008)

⁴⁸ Interview with Amira, October 24, 2013.

to exchange appropriated property for cash and to do so quickly, but does not affect LAs salvaging practices.⁴⁹

2. Salvaging Detroit

Recently, city authorities have made blight removal a priority in their efforts to boost gentrification and improve neighborhood conditions. The Blight Report advocates that the city pursue deconstruction (over demolition),⁵⁰ and lists “resale opportunities” as the first reason for doing so, followed by several others including environmental sustainability and “a sense of reclaiming Detroit’s past for craft and artisanal purposes” (Blight Task Force 2014:148). Salvage businesses are encouraged as a way to aid recycling, avoid landfills, and save the city money in the process of deconstructing blighted properties. The Blight Report also recommends that the city establish two new construction and demolition centers, which could cater to and be supported by a market for recycled (salvaged) materials (Blight Task Force 2014:156).

New businesses and non-profits around Detroit have been popping up that offer salvaged materials neatly organized in for-sale warehouses for steeply discounted prices. New businesses, restaurants, or even remodeled homes often advertise that their tables or wood floors came from some iconic building in the city that is no longer standing.

⁴⁹ It is unclear if these new regulations are having the desired impact, if they are being adequately enforced, etc. The state police department is required to release a review of the impacts of this law in July of 2016.

⁵⁰ Deconstruction is “the exercise of human hands physically taking apart a structure” whereas demolition refers to the more common approach of using machinery to demolish a built structure. Deconstruction allows useful materials to be saved in the process. See discussion in Blight Report 2014, pages 148-155.

Architectural Salvage Warehouse (est. 2005) and Reclaim Detroit (est. 2011) are two popular businesses offering salvaged materials for sale in the city. These two were started prior to the release of the Blight Report, but they are examples of the avenues the Blight Report promotes for “handling” all of the vacant and abandoned property in Detroit. Now to be sure, some salvagers enjoy the adventurous element of climbing through abandoned buildings and seeing parts of the city that have been left to ruin. But Lifestyle Appropriators’ primary goal with salvaging is to acquire materials in a way that allows them to live frugally, recycle the city, and claim a piece of Detroit’s history.

Salvage resale businesses enable Lifestyle Appropriators to meet their salvaging goals legally. They can inexpensively access pieces of Detroit’s history to use in their house remodels, gardens, and art projects. LAs can be even more deliberate in their selection of materials, and purchasing them is in line with their goal of using these materials for a long time. Some salvagers in my study have already begun to use these new options for obtaining building materials. Fern explained that, “Half of this house is from like the ReStore or Arch Salvage which is over in the west side or from various houses around here that aren’t standing anymore.” But salvaging businesses do not aid Necessity Appropriators’ deconstruction practices because their end goal is immediate access to money, not materials.

3. New Squatting Law

In September of 2014, just a few months after the new scrapping law, a new statewide law was adopted that criminalizes squatting and gives more power to property owners. A similar ordinance was initially under consideration by Detroit’s city council, but

the state law superseded the need for a similar local policy.⁵¹ As is the case in most cities, squatters violate property laws when they trespass in Detroit. If the police can verify that an occupant did indeed illegally trespass in order to enter a property, they can arrest or cite the occupant. Prior to this new law, without proof that the occupant trespassed (and did not have permission from the owner to be there), the only recourse was for the legal owner to try to evict the occupant through civil court.

Dealing with squatters has become a public-relations nightmare in Detroit. A local legal expert explained that for city officials deciding how to respond to squatters “it is not a legal issue, it’s a political one.”⁵² Quentin, a city employee, explained that many people in Detroit call in to complain about “squatters” when they really just do not like their neighbors. He also explained that it makes the city look bad when the *“big bad bureaucracy kicks out the poor homeless people,”* a point that was later echoed by two police officers in my study.⁵³ And recently a squatter sued the city for mistreatment after she and her children were forcefully removed from a property they were occupying.⁵⁴ For these reasons, the city has been reluctant to take legal action against squatters by arresting them for trespass.

⁵¹ Khalil AlHajal, “Detroit looks to alert property owners, trespassers to new anti-squatting laws.” MLive. October 13, 2014.
<http://www.mlive.com/news/detroit/index.ssf/2014/10/detroit_looks_to_alert_propert.html> Accessed 6/2/16.

⁵² Interview with Barnabas, October 4, 2013

⁵³ Interview with Isaac and Cedric, July 12, 2013

⁵⁴ Interview with Marsey, March 8, 2014; Interview with Barnabas, October 4, 2013.

However, as of September 2014, squatting in Michigan is now a misdemeanor for a first offense,⁵⁵ and a felony for the second offense.⁵⁶ Previously, in order for the illegal occupant to be charged with a criminal offense if the police did not intervene immediately, the legal owner had to file trespassing or vandalism charges (Heise 2014). This new law also allows property owners to take more direct action in order to reassert control over their property. They are now allowed to “use force to regain possession of premises occupied by a squatter” (Heise 2014). This does not authorize assaulting an occupant, but property owners are permitted to physically remove squatters’ belongings, for example.

This law criminalizes the practices of all illegal occupiers – squatters and homesteaders – in the city of Detroit. But it also purports to make it easier for new property owners to take possession of vacant foreclosures and properties purchased at auction. In order to attract new property owners to Detroit, the city must demonstrate a commitment to protecting property rights. Squatters are viewed as an obstacle to property auctions. In December of 2013, it was estimated that 1,800 - 8,600 houses held by the Land Bank were likely occupied.⁵⁷ New owners of properties purchased via auction often face evicting an illegal occupant from the property. This new law aims to deter all illegal

⁵⁵ Misdemeanor offense carries a maximum \$5,000 fine, maximum 180 days jail time (Heise 2014).

⁵⁶ Felony offense carries a maximum \$10,000 fine, maximum two years jail time (Heise 2014).

⁵⁷ Associated Press. “Occupied Detroit Land Bank Homes Pose Challenge.” CBS Local, Detroit. July 23, 2014. < <http://detroit.cbslocal.com/2014/07/23/occupied-detroit-land-bank-homes-pose-challenge/> > Accessed 6/2/16.

property occupation by making it riskier and more precarious to do so.⁵⁸ But it also serves to protect property rights for new owners purchasing inexpensive properties at auction,⁵⁹ which Lifestyle Appropriators are willing and able to do (discussed further on page 150), but not Necessity Appropriators.

4. Defining Blight and Redefining Occupancy

Other key components of the Blight Report are the way that blight and occupancy are defined. First, blight is defined as a property that meets any of a long list of conditions, including a property that: is a fire hazard, has had the utilities disconnected or rendered ineffective, is tax-reverted, is owned or controlled by a land bank, has been vacant for five years and not maintained to code, or is on the demolition list (Blight Task Force 2014).⁶⁰ The only vacant properties *not* classified as blight would be privately owned properties that are boarded up, secured, and well maintained. But illegal occupants rarely target the

⁵⁸ For squatted properties that are truly unwanted by the legal owner and in an area where the residents do not mind having a squatter for a neighbor, this new law may not have much immediate impact.

⁵⁹ Sarah Cox. "There Are Some New Squatters Laws on the Books in Michigan." Curbed Detroit. August 18, 2014. <<http://detroit.curbed.com/2014/8/18/10059508/there-are-some-new-squatters-laws-on-the-books-in-michigan>> Accessed 6/2/16.

⁶⁰ A public nuisance; An attractive nuisance; A fire hazard or is otherwise dangerous; Has had the utilities, plumbing, heating or sewerage disconnected, destroyed, removed, or rendered ineffective; A tax-reverted property; Owned or is under the control of a land bank; Has been vacant for five consecutive years, and not maintained to code; Has code violations posing a severe and immediate health or safety threat Using the State of Michigan's definition of "blighted property" as a starting point, the Task Force added elements from the Detroit Ordinance governing "dangerous buildings." The Task Force's definition includes properties that are: Open to the elements and trespassing; On Detroit's Buildings, Safety Engineering, and Environmental Department (BSEED) Demolition list. (CITE blight report)

latter because those conditions signal that the legal owner is still watching the property. Instead, illegal occupants favor tax reverted properties and land bank properties⁶¹ because it is unlikely that they will be evicted, even if the city knows that illegal occupants are there.⁶² Vacant properties that squatters can take over often lack utilities, and are not maintained to code. By targeting all of the “blighted” properties in the city for demolition, the properties that squatters and homesteaders rely on for shelter and housing are being removed as well.⁶³

The second important component of the Blight Report is recommendation 5-4, which advocates that the definition of an “occupied” property be redefined to include only “rightful owners or tenants and exclude squatters,” (2014:111). Currently, a property is defined as “occupied” if it is either legally or illegally occupied – i.e. the presence of homeowners, squatters, or renters all constitute a property as legally occupied. An occupied property cannot be demolished under Ordinance 290-H in Detroit. Redefining an occupied property to exclude illegal occupants would allow properties to be demolished even if squatters are living there. This recommendation is motivated by the goal of quickly

⁶¹ Many of these were previously owned by the city but have been transferred to the DLBA after Mayor Duggan took office.

⁶² Prior to the law’s implementation, city official Quentin explained that the city could not afford to evict all of the squatters in city owned property (Interview with Quentin, October 22, 2013). But with the new squatting law, the city has other tools it can employ to remove illegal occupants.

⁶³ It is questionable how long it will actually take to demolish all of the blighted properties in the city. Currently, the city reportedly demolishes about 200 per week. See John Gallagher, “Detroit blight removal campaign ramps up, long way to go.” Detroit Free Press. December 14, 2014.

<<http://www.freep.com/story/money/business/michigan/2014/12/14/detroit-blight-duggan/20360959/>> Accessed 6/3/16

cleaning up neighborhoods by speeding up and streamlining the demolition process, which currently is very drawn out and cumbersome,⁶⁴ and often delayed by the presence of illegal occupants. The drawback of this recommendation is the high number of squatters occupying these properties. Recently, one of the three major demolition companies in the city estimated that squatters occupy 10% of the homes they are slated to demolish.⁶⁵ If that estimate held true for all three major Detroit demolition companies (excluding demo companies that only do occasional blight removal in the city), that would mean that 60 of the approximately 200 houses demolished every week in Detroit are likely occupied.

This recommendation cuts across all forms of illegal occupation – squatters and homesteaders. The supply of “abandoniums” (colloquial term for squatted properties) is already shrinking due to blight demolition. Squatters’ and homesteaders’ tenure in illegally occupied properties would be made even more precarious by changing the definition of occupancy to allow demolition crews to tear down the properties they occupy.

But LAs are more able to navigate around this obstacle due to informal differences in their practices and the resources they have at their disposal. Getting properties removed from the demolition list is possible, but it requires investing time, resources, and labor to substantially improve the condition of the property. This is inconsistent with the immediate trajectory of Necessity Appropriation but is consistent with homesteaders’

⁶⁴ Interview with Ginnifer, September 13, 2013.

⁶⁵ Corey Williams, Associated Press. January 29, 2015.
<<http://www.freep.com/story/news/local/michigan/detroit/2015/01/29/detroit-squatters-blight/22516137/>> Accessed 6/2/16.

practices. They invest in and improve their properties because they want to continue occupying them for the foreseeable future.

For example, after deterring demolition crews several times by parking his car directly in front of his homesteaded house, Allen finally got his house taken off of the demolition list. He explained, "So I went down to the building and safety and engineering and environment department at the city and I'm talking to the guys, I took pictures, I got letters from my neighbor and the pastor and...I showed it was secure, I showed it was livable..." By improving his homesteaded house (which was previously stripped and filled with garbage), Allen was able to have it removed from the demolition list because it no longer constituted blight.

5. Property Auctions

With the creation of the Detroit Land Bank Authority's (DLBA) property auction, there are now two avenues for purchasing Detroit property via auction. The DLBA's property auction is on-going with properties sold off weekly, and is considered a recent "improvement" over the Wayne County Treasurer's auction system. The latter has been selling tax-foreclosed homes yearly since 1999 for as low as \$500 in an effort to recoup unpaid property taxes. In 1999, the tax law was amended to expedite the tax foreclosure process, shortening the timeline from at least six years down to two to three years (Michigan Public Act 123 1999, see especially Sec.78(1)); see Dewar, Seymour and Drut 2014 for more detailed explanation of this tax auction process). The Wayne Country Treasurer's on-line auction does not provide any information about the property other than the address and the amount of delinquent taxes.

The DLBA's slogan is "Neighbors Wanted" – referring to the goal of making property easy to purchase to attract new home-owning residents to Detroit's neighborhoods. The DLBA's property auction makes purchasing houses for renovation simpler and more accessible. Bidding starts at \$1000 for most properties, titles have been quieted, and delinquent taxes erased, but new owners are also required to improve the property within a specified time frame. Previously, it was surprisingly difficult to find inexpensive houses to purchase in Detroit outside of Wayne County's property auction because so often they sit in a legal-limbo during the tax foreclosure process, or because the legal owner cannot be found. But the DLBA's website offers photos, details about improvements needed, and sometimes offers open houses to view properties before bidding starts. These properties also need less work than many of the properties offered through the County Treasurer's auction because the DLBA funnels the properties they acquire into either demolition or auction.

Property auctions are an avenue for increasing access to property ownership in the city, specifically for people seeking inexpensive properties to rehab or improve. This allows Lifestyle Appropriators to carry out their homesteading practices legally. Homesteading does not require that occupation be illegal – LAs often illegally occupy property only until they are able to purchase. Lifestyle Appropriators have the stability and distance from necessity to "shop around" for the right house, and want to make long-term investments in a property. The DLBA's auction sells property across the city, rather than just being located in more central, gentrifying neighborhoods, allowing homesteaders to legally settle the city with an urban pioneering ethos. The DLBA's convenient on-line advertisement system also enables interested buyers from far away to explore this kind of housing option in the city.

The DLBA's property auction starts at one thousand dollars, which is a scant amount to pay for a house compared to property prices nation wide. But considering that Necessity Appropriators struggle to solidify basic necessities, \$500-\$1,000 is a lot of money (not to mention the high property tax rates the homeowner would need to pay to retain the property). Remember that TJ cannot afford a legal divorce – a cost of around \$250, and has not been able to afford that for several years. But money is not the only obstacle NAs face to enter into the benefits of this kind of home ownership. Acquiring property via auction requires a slower, more deliberate pace than squatting – it takes time to save money, register for the auction, bid, and have the property transferred to the new owner. The instability that characterizes their lives is an obstacle to envisioning and enacting the long-term relationship to a property that private ownership codifies, and to imagining having the money, time, or resources to rehabilitate the house in accordance with DLBA requirements. Also, Necessity Appropriators in my study do not want the kind of homes available for starting bids of \$500 at the County Treasurer's auction or \$1000 from the DLBA's auction. Leslie once won \$500 gambling and purchased a house from the County Treasurer's property auction. She was dismayed with its terrible condition, and so let a homeless friend stay there for a while until she managed to sell it to recoup her money. Finally, some NAs who sell drugs or prostitute while squatting do not want to legally own the property because of the added liability legal ownership would bring.⁶⁶

⁶⁶ Interview with Bobby, February 11, 2014. Interview with Lisa, March 13, 2014.

6. Growing Detroit

While trying to make properties more readily accessible to urban pioneering-types and rehabbers, Detroit is also being marketed as a city that embraces urban agriculture. Detroiters have been gardening in the city since its inception. The original plot lines of the city were long lots that stretched down to the river so that farmers could water their crops.⁶⁷ But farming and gardening are also being "reintroduced" (and I mean this ironically) in order to capture the DIY culture of folks who are disenchanted by consumer culture and big agriculture. Urban agriculture in Detroit is envisioned as a way to make use of all the vacant land in the city, to improve the health of local residents, to entice new residents who seek this kind of lifestyle, and as an economic stimulus.

In the interest of bolstering urban agriculture in the city, Detroit's City Council adopted an urban agriculture zoning ordinance in 2013. Guided by several years of discovery and meetings with local farmers, this ordinance recognizes agriculture as a legitimate land use in the city, sets standards for it, and defines urban agriculture activities (such as farm versus garden, greenhouse versus hoophouse, etc). Agriculture in Michigan is protected by the 1981 Michigan Right to Farm Act (MRFA), which was designed to protect farmers from nuisance complaints by encroaching suburban residents. But it also restricted municipalities from regulating agriculture. The new ordinance in Detroit thus had to work with farmers in order to create a framework that would work alongside the MRFA and its Generally Accepted Agricultural and Management Practices (GAAMPS). The City of Detroit Planning Commission reached an agreement with the Michigan Agricultural Commission to

⁶⁷ Interview with Helena, November 6, 2013.

provide an exemption for the city from these restrictions, enabling them to proceed with the new urban agriculture ordinance.

Along with defining acceptable practices, this ordinance defines acceptable agriculture uses not previously regulated before in Detroit. The ordinance includes regulations such as restricting mature production of oats, rye or wheat to avoid rodent problems; delineating site requirements (such as how far back a compost pile must be from the road); and acceptable forms of agriculture (including aquaculture, aquaponics and hydroponics). This new ordinance also regulates the sale of produce and other farm products – i.e. farmer’s markets. It also permits pre-existing agricultural operations that do not conform to new requirements as a “legal non-conforming use” (Busdicker 2013). For example, an illegal garden that has a built structure that violated regulations could be permitted as a “legal non-conforming” rather than requiring that the garden be altered to fit regulations. This incentivizes legalization (for gardeners to purchase their plots of land) because this non-conforming status excuses them from significant costs to comply (like moving a water catchment system further from the edge of the property).

Perhaps most significant about this new agriculture ordinance is that previously residents could not purchase vacant property that was not adjacent to their legally owned residence unless they planned to build on it. Now a resident can, for example, purchase the vacant lots across the street to garden, or buy a vacant block in another neighborhood to start a farm because it is a legally regulated use of property in the city.⁶⁸ Detroiters can now legally sell their produce and other “agricultural products.” Residents in my study told me

⁶⁸ Interview with Helena, November 6, 2013.

about an old rent-a-lot program that allowed community groups and residents to rent lots yearly from the city for a small fee.⁶⁹ But they also noted how cumbersome the rental process was because city officials often were not aware of the program or could not find the necessary rental application.⁷⁰ These residents also expressed that renting lots ultimately was not worth it because there was little perceived difference in precarity between renting a lot and illegally occupying it to farm, and more headache involved with the former.⁷¹

This new urban agriculture ordinance formalizes and legalizes the practices of homesteaders who move to the city seeking inexpensive space to garden, grow their own food, farm for a living, and more generally “live off the land” akin to urban pioneers. Lots can be purchased through the city for as little as \$200 for a side-lot and for “fair market value” for non-residence adjacent land (Busdicker 2013, 3). The impact is that Lifestyle Appropriators are able to benefit from an expanded opportunity for property ownership. On the other hand, Necessity Appropriators in my study lack the resources (knowledge and financial) to start and maintain agricultural endeavors, are unable to carry out or disinterested in the manual labor of farming, and do not have the level of stability that ensures they will be able to benefit from an agricultural endeavor.

⁶⁹ There are several ways to do this, see Busdicker 2013.

⁷⁰ I also could not find out any information about the rent-a-lot program from city officials. A new similar program is underway by Mayor Duggan’s office, but the time frame residents in my study referred to was prior to Duggan taking office. I could not find information on the city’s website, and while city employees and local authorities had heard of the program, they also could not provide documentation of it.

⁷¹ Interview with Jerome, October 26, 2013. Interview with Didi, May 3, 2014.

Discussion

This chapter has outlined six new laws, ordinances, and recommendations that exemplify what I call the city's "regulatory schema" – increasing opportunities for legal ownership while trying to curtail some forms of illegal property use. The informal practices that arise in the context of a declining city like Detroit, with lax regulation and an abundance of vacant property, pose obstacles for authorities and planners trying to revitalize the city, curb existing problems, and attract new residents. I find that this new regulatory schema differentially (and disproportionately) impacts Lifestyle and Necessity Appropriation. The new scrapping law penalizes the practices of Necessity Appropriators because it targets the point of sale, but does not impact Lifestyle Appropriators because they want to keep property they salvage, not sell it. The new squatting law, wide-spread property demolition, and the recommendation for changing definitions of occupancy targets both Necessity and Lifestyle Appropriators' practices by criminalizing them, removing properties available for illegal occupation, and making illegal occupation more precarious. But at the same time, Lifestyle Appropriators are now able to legally achieve their goals that initially motivated salvaging, homesteading, and farming. But these new opportunities for legal ownership do not serve the urgent, immediate needs of Necessity Appropriation.

This differential impact is explained by two reasons. First, these new opportunities and avenues for ownership do entail costs that are prohibitive to some informal actors. The costs are very minimal in contrast to conventional building material or property purchases. The LAs in my study have the ability to procure necessary financial resources (many LAs in my study have the goal of purchasing all along) and these new avenues to ownership make

it easier to access the inexpensive property they seek. But NAs cannot afford the initial cost of these ownership-avenues, nor future expenses associated with property ownership. Second, the new regulatory schema differentially impacts LAs and NAs due to different characteristics of their informal practices, which in this case is the temporality of property appropriation (explained in more detail in Chapter 5). The new avenues for ownership that allow Lifestyle Appropriators to continue their practices legally do not similarly help Necessity Appropriators. NAs would benefit from legal access to property that would allow them to meet urgent needs and temporarily use property. In addition to requiring financial resources, new avenues for legal ownership require time and planning (such as saving up money or bidding in the property auction) that NA's urgent needs do not afford them. Furthermore, legal ownership requires additional (future) time, labor, and monetary investment. NAs do not envision having the kind of future stability that is required to maintain legal ownership of property. Finally, all other things aside, NAs are unlikely to take advantage of these new ownership avenues because most do not wish to continue occupying run-down properties nor do they wish to keep property taken from abandoned buildings. Their temporal relationship to property – they need it urgently for the immediate – does not align with the distanced, deliberate temporality codified by legal ownership.

Conclusion

Detroit's new property regulatory schema is central to visions for improving and stabilizing the city (Detroit Future City 2013).⁷² This regulatory schema embraces creative tactics for handling property-related obstacles associated with urban decline. Rather than focus solely on luring investors and entrepreneurs to stimulate urban growth, future plans and visions of Detroit consider the reality of neighborhood conditions and seek to be responsive to residents' needs. However, the ardent focus on increasing legal ownership for handling vacant and abandoned property and improving neighborhood conditions excludes residents whose practices do not align with the temporality that private property requires and codifies (slow, deliberate pace and distanced/long-term trajectory). A more inclusive, creative strategy might be to expand forms of legal property use to include immediate, temporary forms of use and occupation that would enable residents to fulfill immediate needs.

That the city's regulatory schema is responsive to the practices of Lifestyle Appropriators but not Necessity Appropriators can be explained in two ways (that are not mutually exclusive). First, the data-collection that informed these strategies (like community meetings and neighbors texting-in information about problem properties on their block) may have excluded the most marginalized Detroiters. Mariana Valverde's work shows that attempts to democratize local governance by including residents in planning

⁷² Bill McGraw. "Redesigning Detroit: Mayor Mike Duggan's blueprint unveiled." The Center for Michigan | Bridge Magazine on MLive. August 18, 2015. <http://www.mlive.com/news/detroit/index.ssf/2015/08/redesigning_detroit_the_mayor_s.html> Accessed 6/2/16.

processes fall short of creating inclusive policies because only certain residents are likely to choose to participate. Those most likely to not participate in community meetings and the like are the least well off, most marginalized residents (Valverde 2012). Many of the new plans, programs, and recommendations have been informed by a great deal of input from Detroit residents. But likely these meetings were not well-attended by very marginalized residents like Necessity Appropriators, and so their needs and voices may not have been taken into account.

A second way to interpret these findings is that declining cities like Detroit must create the conditions wherein gentrification and revitalization are possible. Key to drawing in new residents who will instigate the process of gentrification (like the creative class and urban pioneers) is developing avenues for affordable or inexpensive property ownership and demonstrating that property rights are protected (by curbing illegal property use). Prior research also shows that removing signs of crime and disorder improve the perception of neighborhoods by outsiders (Hwang and Sampson 2014; Sampson and Raudenbush 1999, 2004), and that whites are more likely to move to areas with other whites (Charles 2003; Quillian and Pager 2001). The survival tactics of Detroit's poorest residents (who are overwhelmingly black) are negatively impacted by efforts to curb illegal property appropriation that (to an outsider) signals crime and disorder, and that undermines property rights and ultimately makes it harder for them to get by in the city.

In Detroit, this new, creative regulatory schema stands to improve the positions of more privileged property appropriators, while disenfranchising the poorest, most marginalized residents of the city. In this case, costs of compliance are not the only obstacle to formalization. Instead, appropriators whose informal practices are not easily translated

into legal, private ownership are not in a position to comply, and therefore cannot access the benefits of property ownership (like increased residential stability and economic return). The clincher is that while these new plans and policies open up creative avenues for property ownership, they do not challenge the private ownership model; they affirm and protect property rights. Recall that applying laws equally and without discrimination (i.e. enforcing existing laws to regulate informal practices) often exacerbates inequality because there is a cost to compliance. But, allowing informality to continue risks conveying that lower standards are acceptable for marginalized populations. If in Detroit, for example, the city permitted scrappers to deconstruct properties on the demo-list it might help curb harmful scrapping and protect property rights in the city. But this would also sanction allowing desperate residents to engage in a seriously dangerous activity without proper safety measures or equipment, and for very little economic return.

Vacant, abandoned, and blighted property is a significant obstacle for declining urban areas. Cities imagining creative models for turning vacant property into an asset rather than an obstacle might consider the impact new regulations will have for all residents, including the most marginalized. Having the resources to comply with new regulations is not the only obstacle some residents will face. Instead, the character of informal practices impacts compliance as well. In this case, the temporal dynamic of informal/illegal property appropriation influences the extent to which informal actors can comply and thus benefit from formalization. The consequence is that the conflicting temporalities of formal property laws and informal property practices is a mechanism for reproducing inequality. Truly creative strategies for handling property in declining cities would consider the informal practices that reflect different needs and wants of residents,

and expand formal property regulations beyond the dominant model of private ownership in ways that supports all residents.

Chapter 7

Conclusion

Recognizing the global nature of urban decline challenges the assumption that decline is simply an aberration amidst the ascendancy of the urban form. This project has examined the practices of illegal property use in Detroit; widow to the once thriving auto industry and paradigmatic example of U.S. urban decline. The scale and severity of Detroit's conditions have enabled accessing some of the city's informal, illegal practices that might otherwise remain hidden. By studying the illegal appropriation of property in Detroit, this research project makes two main contributions. First, this project contributes to scholarly understanding of social life in the context of urban decline by demonstrating why and how urban decline alters dominant presumptions about property relations. Special attention has been given to property's relation to neighborhood conditions and the way property is useful for individuals comprising different social groups. Second, this project contributes to sociological understandings of property in everyday life by explaining how time is significant for shaping the character of property relations in Detroit. The temporality of property relations may also help to more fully explain previously observed correlations between property ownership and outcomes such as neighborhood health or increased residential stability.

How Urban Decline Impacts Property Relations

Two key presumptions (either implicitly or explicitly) inform existing social scientific research about property: that there are economic incentives attached to ownership, and that it is legally regulated. These two presuppositions do not hold in the context of declining cities. Decreasing population reduces demand for property, lowers property values, and diminishes the municipal tax base. A concomitant alteration in the economic base further exacerbates the underfunded, over-burdened local government, which then struggles to maintain the infrastructure upon which property valorization depends, and lacks the resources to reliably enforce property rights.

In this context, legal regulation of property becomes less useful to residents, and the presumed relationship between property and social benefit (in the form of neighborhood stability) changes. Neighborhood residents are less concerned with the legality of practices than with how these practices impact the community. As a mediator of social relations, property use in distressed neighborhoods in Detroit is assessed and adjudicated according to its social impact, rather than via the normativity and enforcement of the law. Neighborhood stability is a plastic concept – place specific, influenced by local conditions, and altered in response to residents' needs.

Additionally, in the context of decline there is a correlative increase in the importance of property's utility and decrease in the salience of property as a source of economic investment or profit-making. In other words, entrepreneurial claims to property decrease, and use-value claims to property increase but are in no way homogeneous. The use-value claims in my data constitute two ideal-types: claims to property for achieving lifestyle goals and claims to property for survival. These claims are put forth by different

social groups, attended to by different justificatory narratives, have different impacts on the physical environment and different conditions endured by appropriators. In Detroit, claims to urban space – property – expand in form and content, and the balance between exchangeability and utility shifts in favor of the latter. As utility claims proliferate and potentially conflict, the sphere of informal adjudication expands. This alters the socio-economic dynamics of the city. Struggles against the dominance of capital in these urban spaces may decrease, or new tensions between different claims-making groups may arise that are distinct from those in places of urban growth.

What Non-Legal Factors Influence Property Relations and Property Outcomes?

The second aim of this research has been to investigate non-legal factors that impact property relations in everyday life. That is, what factors influence property relations that are not captured by nor adequately explained by the influence of the law in social life? Studying the law's instrumental (i.e. as a tool of regulation) and/or constitutive (i.e. as a way of making legal subjects) influence in society presumes the law's saliency in understanding social life. But in some contexts and for some actors, the law is not very salient – such is the case for property access and control by local residents in Detroit. I find that the temporality of property appropriation is critical for defining the way that individuals differently relate to property in Detroit. Property appropriation is characterized by different temporal modalities shaped by appropriators' disparate social positionalities. Non-legal factors also influence legal relationships, and are more or less significant depending on social context and a subject's social position. That is, the different

temporal dynamics with which individuals relate to property may be a mediating factor that influences legal property outcomes.

Dominant forms of legal property relations expect, enable, and bolster long-term relations to property, and predominately impose a slow, deliberate pace on the process of entering into legal ownership.⁷³ Thus the urgent need for property or the inability to conceive of a long-term relationship to property may preclude actors from pursuing legal property ownership or impact the extent to which they benefit from this relationship if they are able to enter. This is somewhat speculative and begs further research, but consider that the process of legal home ownership entails not just the economic resources to purchase a home, but the ability to wait through a long process of mortgage approvals and purchase price negotiations. Homeowners take on a great deal of liability and future economic costs – and one must expect to have these resources in the future if they are to maintain ownership and have their property's value rise.

The temporal dynamic of everyday property relations may influence legal property outcomes in previously unconsidered ways. There are many “black boxed” property outcomes that may be clarified by more rigorous understanding of property in everyday life or under various socio-spatial and economic conditions. For example, private homeownership is correlated with increased neighborhood stability, but it remains unclear: whether the legal property-owning relationship engenders responsible care for property and community participation; if there is a set of characteristics that people who

⁷³ This is somewhat speculative and deserves further inquiry, but Woods (2008) uncovers similar long-term expectations of property ownership with regard to environmental resources.

pursue homeownership possess; or if there is a confluence of other factors, e.g. education, employment, etc., that bolsters the elements within the dominant metrics of stability.

Different temporal relations to property may help to explain who chooses to enter legal ownership (McCabe 2013), or why certain groups benefit from homeownership more than others (Shlay 2006). Other scholarship has noted that poor people are burdened by an urgent focus on the immediate, at the expense of long-term visions or planning (Fieulaine 2014). Perhaps, more broadly, it would be helpful to think about the way everyday life for the poor is constituted by a different temporality than more privileged actors. Thus the urgent need for shelter or the limited viability of pursuing a long-term relationship to property may preclude legal property ownership – even in a context where one can purchase a home for one thousand dollars.

How Urban Decline and Non-Legal Dimensions of Property Interact

It is likely that non-legal factors rise in significance for social life in declining cities more generally, as municipalities become further overburdened and legal enforcement wanes. The informal facets of social life in cities like Detroit, such as the different temporal relations to property that are able to persist and expand, provide insight into how future revitalization plans will impact existing residents. For example, the temporality required and codified by new avenues for legal ownership in Detroit are commensurate with the temporality of Lifestyle Appropriation more-so than Necessity Appropriation. To shift this disparate impact would require more than just the economic resources for Necessity Appropriators to legally purchase property. For example, for squatters in my study to be able to take advantage of inexpensive opportunities for homeownership in Detroit, they

would require more than the money to purchase a house. They would need provisions for shelter during the process of purchasing a home, that the condition of the home be appropriate to their desired living conditions, and the promise of future economic security in order to be able to maintain the home and pay taxes in order to retain ownership. They would need changes to their structural position that would enable them to shift the temporality with which they relate to property.

The Promises and Pitfalls of Property in Declining Cities

The spatial conditions of a declining city like Detroit are simultaneously an obstacle to and opportunity for retaining existing residents and enticing new ones. This space is an obstacle because of some of the deleterious social conditions that currently persist – widespread dumping, blight, dangerous structures, and the space wherein unwanted activities can be easily hidden from authority oversight. But ideologically, property is opportunity. Property ownership – of land, housing, business, etc – are markers of achievement in the U.S. and predominately bring a host of economic and social benefits (from increased stability and self-determination, to tax credits for mortgage interest). As such, access to property and space and the potential for legal ownership is a huge asset within the existing structure of U.S and is a feature that declining cities can capitalize on (and are already doing so in Detroit). Juxtapose the ability to purchase a newly renovated home in Detroit for around \$60,000 with the cost of a parking space in NYC for \$250,000 to one million dollars.⁷⁴ Artists and residents from Brooklyn, NY are already circling Detroit,

⁷⁴ Vivian S. Toy. "For Parking Space, the Price Is Right at \$225,000." The New York Times. July 12, 2007. <<http://mobile.nytimes.com/2007/07/12/us/12parking.html>> Accessed

looking for spaces to land. Middle class Detroiters buy property for their children for graduation gifts instead of cars.⁷⁵

Property access and control can play a key role in neighborhood stabilization and revitalization as a way for improving the quality of life for existing residents and to draw in future residents. City authorities can imagine unique, creative plans for turning the space of the city from a liability to an asset. But this interstitial space is not blank or empty. As this project demonstrates (and as “everyone knows” in Detroit), Detroit’s vacant and abandoned properties are used in various illegal and informal ways. As such, re-using this space in alternative ways requires grappling with and confronting what already exists.

The pitfalls of property in Detroit come from the fact that the heterogeneous forms of illegal, informal property use do not easily map onto dominant legal property relations. The outcomes of transforming the often vast spaces of informality in declining cities are as yet unknown. Existing scholarship on urban transformation has established that, in various ways, the “benefits” of gentrification are paired with negative impacts often shouldered by poorer long-time residents. The lynchpin in the presumed paradisaal ascendancy of “revitalization” is displacement: residents get forced out or priced out of existing neighborhoods as new residents and an influx of capital push them to less expensive peripheral neighborhoods. This explanation rests on increasing economic value of property, and enforced legal property relations that allow certain individuals the power to

6/3/16; Michelle Higgins. “Buy Condo, Then Add Parking Spot for \$1 Million.” The New York Times. September 9, 2014.
<<http://mobile.nytimes.com/2014/09/10/realestate/million-dollar-parking-spot.html>>
Accessed 6/3/16

⁷⁵ Interview with Craig, July 27, 2013.

remove access from others. But the outcomes – both positive and negative – of “revitalization” in declining cities are likely different than previous research has observed because of the way wide-spread property abandonment has altered existing social relationships, especially with regard to property.

Declining cities might take a cue from mega-cities’ planning strategies. This is perhaps a very peculiar recommendation considering that mega-cities (e.g. Mumbai, Shanghai) are rapidly growing while the latter are declining. But common to both (and different from “global cities” like NYC or London (Roy 2005)) is that both mega cities and declining cities must grapple with informality. In mega-cities of the global south, Roy conceptualizes urban informality as a form of urban planning. What this means is that laws, regulations, and planning strategies are influenced by and designed to accommodate informal practices, or respond to the needs they are reflective of.

At its core, this is an issue of epistemic justice. Whose knowledge about the city “counts” and is used to inform the way forward? In Detroit, planning authorities have in various ways attempted to be responsive to local conditions and residents’ needs. But the city’s new regulatory regime reflects the needs of only some informal actors in the city – more privileged Lifestyle Appropriators. Mariana Valverde (2012) argues that governance strategies designed to promote diversity and be inclusive (like community meetings with neighborhood residents) fail in their goals because the most marginalized residents are less likely to participate in these democratic processes, and therefore their point of view, their needs, and their everyday solutions are not considered in planning strategies and policy formation.

Instead, Matsuda argues that, "One needs to ask who has the real interest and the most information?" (Matsuda 1987:346). Planning for urban decline and improving the conditions of life in these cities must grow from the grassroots practices and tactical-strategies (see Lugones 2003) of residents who are rooted in the conditions of life in Detroit – not just civically-minded outsiders who want to be part of the rebirth of Detroit and for whom the city is a different beast. Even long-time residents who have the stability and ability to participate in local governance may have interests drastically different from Necessity Appropriators and other very marginalized locals.

Roy (2005, 148) argues that planners concerned with distributive justice must recognize that “dealing with informality requires recognizing the “right to the city” – claims and appropriations that do not fit neatly into the ownership model of property...” Most property scholarship debates the benefits and disadvantages of privately owned versus communal property. Some informal, communal-property-like alternatives are evident in Detroit – such as community gardens and collective responsibility for vacant urban spaces. Many of the various informal property claims in Detroit do not fit neatly into either private or communal property ownership models. This is in part due to the different temporalities with which appropriators relate to their properties.

The future (in)equality in declining cities may revolve around the ardent focus on long-term property relations, not just private versus communal property. Property laws codify long-term relationships to property, and this does not fit the needs of all poor residents (and there are a lot of them in economically disadvantaged cities like Detroit). Truly creative, locally responsive strategies for handling property and improving urban conditions in Detroit would create legal opportunities for short-term, urgent, immediate

property use by residents needing a “stepping stone.” Urban authorities in cities like Detroit might consider programs akin to the United Kingdom’s “authorized squat” wherein legal owners are relieved of liability and maintenance responsibilities, and squatters are allowed to inhabit the property (see Kearns 1979 for discussion). This might be more beneficial for Detroit than an ardent reliance on dominant property relations as it could help to stabilize Detroit’s poorest residents and improve neighborhood conditions. Improving conditions of life for all residents is not only a just goal; it is of practical importance for declining cities. Retaining existing residents and addressing the conditions that contribute to crime and blight also help to attract new residents, thereby slowing down or stabilizing population decline.

Towards this end, revitalization plans should consider how to make the city accessible to and supportive of the least well off by creating avenues for formalization that serve the same function as informal practices. Central to bringing such a goal to fruition is a comprehensive knowledge of social life in the context of urban decline. Without an empirical, grass-roots understanding of the informal practices that arise in such places, plans for improvement may do little more than gentrify these cities through new mechanisms of exclusion, displacement, or erasure. On the other hand, the lack of interest by profit-seeking entrepreneurs in declining cities facilitates creative methods for improving the conditions of life therein. Cultivating strategies that build from informal practices may also be an opportunity to realize what David Harvey (2008) claims is the real issue at stake in the Right to the City Movement: i.e. not only just and equitable access to the city and its resources, but the ability for all citizens to be active participants in reshaping and transforming the city.

Bibliography

- Akers, Joshua M. 2013. "Making Markets: Think Tank Legislation and Private Property in Detroit." *Urban Geography* 34(8):1070–95. Retrieved June 23, 2015 (<http://www-tandfonline-com.proxy.lib.umich.edu/doi/abs/10.1080/02723638.2013.814272>).
- Auyero, Javier. 2011. "Researching the Urban Margins: What Can the United States Learn from Latin America and Vice Versa?" *City and Community* 10(4).
- Bakker, Karen. 2007. "The 'Commons' Versus the 'Commodity': Alter-Globalization, Anti-Privatization and the Human Right to Water in the Global South." *Antipode* 39:430–55.
- Barzel, Y. 1997. *Economic Analysis of Property Rights*. 2nd ed. Cambridge: Cambridge University Press.
- Beauregard, Robert A. 2009. "Urban Population Loss in Historical Perspective: United States, 1820 – 2000." *Environment and Planning A* 41(3):514–28. Retrieved April 1, 2015 (<http://www.envplan.com.proxy.lib.umich.edu/abstract.cgi?id=a40139a>).
- Becher, Deborah Lynn. 2014. *Private Property and Public Power: Eminent Domain in Philadelphia*. Oxford: Oxford University Press. Retrieved September 8, 2014 (<http://www.amazon.ca/Private-Property-Public-Power-Philadelphia/dp/0199322546>).
- Bernt, Matthias. 2015. "The Limits of Shrinkage: Conceptual Pitfalls and Alternatives in the Discussion of Urban Population Loss." *International Journal of Urban and Regional Research*.
- Blight Task Force. 2014. *Every Neighborhood Has A Future... And It Doesn't Include Blight*. Detroit.
- Blomley, Nicholas. 2014. "Property, Law and Space." *Property Law Review*.
- Blomley, Nicholas. 2016. "The Boundaries of Property: Complexity, Relationality, and Spatiality." *Law and Society Review* 50(1).
- Blomley, Nicholas K. 2004. *Unsettling the City: Urban Land and the Politics of Property*. Routledge. Retrieved May 7, 2016 (<https://books.google.com/books?hl=en&lr=&id=90PNte9oVeQC&pgis=1>).
- Blomley, Nicholas K., and Gordon L. Clark. 2013. "Law, Theory, and Geography." *Urban Geography* 11(5):433–46. Retrieved May 2, 2016 (<http://www-tandfonline->

com.proxy.lib.umich.edu/doi/abs/10.2747/0272-3638.11.5.433#aHR0cDovL3d3dy10YW5kZm9ubGluZS1jb20ucHJveHkubGliLnVtaWN oLmVkdS9kb2kvcGRmLzEwLjI3NDcvMDI3Mi0zNjM4LjExLjUuNDMzQEBAMA==).

Bontje, Marco. 2004. "Facing the Challenge of Shrinking Cities in East Germany: The Case of Leipzig." *GeoJournal* 61:13–21.

Bourdieu, Pierre. 1977. *Outline of a Theory of Practice*. Cambridge and New York: Cambridge University Press.

Bourgois, Pilippe. 1995. *In Search of Respect: Selling Crack in El Barrio*. Cambridge Univ Pr. Retrieved February 24, 2011 (<http://books.google.com/books?hl=en&lr=&id=XTC1ny-utfgC&oi=fnd&pg=PR13&dq=In+search+of+respect:+selling+crack+in+El+Barrio&ots=ZbQrh7K4-p&sig=vBOFKO4r6qCBK-luGe0P24XK2Cc>).

Brown, Michael A. 2004. "Heritage as Property." in *Property in question: value transformation in the global economy*, edited by Katherine Verdery and Caroline Humphrey. Oxford: Berg Publishers.

Burke, Dan L. 2012. "Law and Economics of Intellectual Property: In Search of First Principles." *Annual Review of Law and Social Science* 8:397–414.

Busdicker, Libby. 2013. *A Summary of the Urban Agricultural Amendments to Deteoit's Zoning Ordinance*. East Lansing.

Carruthers, Bruce G., and Laura Ariovich. 2004. "The Sociology of Property Rights." *Annual Review of Sociology* 30:23–46. Retrieved (<http://www.jstor.org.proxy.lib.umich.edu/stable/29737683>).

Carter, Alan B. 1989. *The Philosophical Foundations of Property Rights*. New York: Wheatsheaf.

Castells, Manuel, and Alejandro Portes. 1989. "World Underneath: The Origins, Dynamics and Effects of the Informal Economy." in *The Informal Economy: Studies in Advanced and Less Developed Countries*. Baltimore: Johns Hopkins University Press.

Charles, Camille Zubrinsky. 2003. "The Dynamics of Racial Residential Segregation." *Annual Review of Sociology* 29:167–207.

Coase, Ronald H. 1960. "The Problem of Social Cost." *Journal of Law and Economics* 3:1–44.

Davidson, Debra J. 2007. "Private Property Wrongs: Uncovering the Contradictory Articulations of an Hegemonic Ideology*." *Sociological Inquiry* 77(1):104–25. Retrieved January 27, 2015 (<http://doi.wiley.com/10.1111/j.1475-682X.2007.00179.x>).

- Deleuze, Gilles, and Félix Guattari. 1987. *A Thousand Plateaus: Capitalism and Schizophrenia*.
- Delgado, Richard. 1997. "Rodrigo's Twelfth Chronicle: The Problem of the Shanty." *Georgetown Law Journal* 85(3):667–90.
- Demsetz, Harold. 1967. "Toward a Theory of Property Rights." *The American Economic Review* 57(2):347–59.
- Desmond, Matthew. 2012a. "Disposable Ties and the Urban Poor." *American Journal of Sociology* 117(5):1295–1335. Retrieved March 23, 2016 (http://www.jstor.org.proxy.lib.umich.edu/stable/10.1086/663574?seq=1#page_scan_tab_contents).
- Desmond, Matthew. 2012b. "Eviction and the Reproduction of Urban Poverty." *American Journal of Sociology* 118(1):88–133. Retrieved September 16, 2014 (<http://www.jstor.org.proxy.lib.umich.edu/stable/10.1086/666082>).
- Detroit Future City. 2013. *Detroit Strategic Framework Plan*. Detroit.
- Dewar, M., E. Seymour, and O. Drut. 2014. "Disinvesting in the City: The Role of Tax Foreclosure in Detroit." *Urban Affairs Review* (October). Retrieved (<http://uar.sagepub.com/cgi/doi/10.1177/1078087414551717>).
- Dewar, Margaret, and June Manning Thomas, eds. 2013. *The City After Abandonment*. Philadelphia: University of Pennsylvania Press.
- Dietz, Robert D., and Donald R. Haurin. 2003. "The Social and Private Micro-Level Consequences of Homeownership." *Journal of Urban Economics*.
- DiPasquale, D., and E. L. Glaeser. 1999. "Incentives and Social Capital: Are Homeowners Better Citizens?" *Journal of Urban Economics* 54:354–84.
- Douglas, Gordon C. C. 2014. "Do-It-Yourself Urban Design: The Social Practice of Informal 'Improvement' Through Unauthorized Alteration." *City & Community* 13(1):5–25. Retrieved July 4, 2015 (<http://doi.wiley.com/10.1111/cico.12029>).
- Duneier, Mitchell, Ovie Carter, and Hakim Hasan. 1999. *Sidewalk*. New York: Farrar, Straus and Giroux.
- Durkheim, Emile. 2001. *The Elementary Forms of Religious Life*. edited by Carol Cosman. New York: Oxford University Press.
- Earle, T. 2000. "Archeology, Property, and Pre-History." *Annual Review of Anthropology* 29:39–60.
- Edensor, Tim. 2005. "The Ghosts of Industrial Ruins: Ordering and Disordering Memory in

- Excessive Space." *Environment and Planning D: Society and Space* 23(6):829–49.
- Edin, Kathryn, and Laura Lein. 1997. "Work, Welfare, and Single Mothers' Economic Survival Strategies." *American Sociological Review* 62(2):253.
- Edin, Kathryn, and Luke Shaefer. 2015. *\$2.00 a Day: Living on Almost Nothing in America*. New York: Houghton Mifflin Harcourt Publishing.
- Edmondson, Ricca. 2000. "Rural Temporal Practices: Future Time in Connemara." *Time & Society* 9(2-3):269–88. Retrieved (<http://tas.sagepub.com/cgi/content/abstract/9/2-3/269>).
- Engels, Frederick. 1972. *The Origin of the Family, Private Property and the State*. New York: Pathfinder.
- Ewick, Patricia, and Susan S. Silbey. 1992. "Conformity, Contestation, and Resistance: An Account of Legal Consciousness." *New England Law Review* 1.
- Farley, Reynolds. 2015. "The Bankruptcy of Detroit: What Role Did Race Play?" *City & Community* 14:118–37.
- Felstiner, William L. F., Richard L. Abel, and Austin Sarat. 1980. "The Emergence and Transformation of Disputes: Naming, Blaming, Claiming . . ." *Law & Society Review* 15(3):6311–6654. Retrieved June 2, 2016 (https://www.jstor.org/stable/3053505?seq=1#page_scan_tab_contents).
- Fioulaine, N. 2014. "Poor Temporality or Temporal Poverty? The Social Roots and Correlates of Time Perspective." *Personality and Individual Differences* 60:S12.
- Firmin-Sellers, K. 1995. "The Politics of Property Rights." *American Political Science Review* 89(4):867–81. Retrieved December 27, 2012 (<http://www.jstor.org/stable/10.2307/2082514>).
- Fischer, Claude S. 1982. *To Dwell Among Friends: Personal Networks in Town and City*. Chicago: University of Chicago Press.
- Friedrichs, Jurgen, and Jorg Blasius. 2009. "Attitudes of Owners and Renters in a Deprived Neighbourhood." *European Journal of Housing Policy* 9(4):435–55.
- Galster, George C. 1983. "Empirical Evidence on Cross-Tenure Differences in Home Maintenance and Conditions." *Land Economics* 59:107–13.
- Galster, George C. 1987. *Homeowners and Neighborhood Reinvestment*. Durham: Duke University Press.
- Galster, George C. 2015. "The Idiosyncrasies of Urban Decline Processes: Why Shrinking Cities Are Not Mirror Images of Growing Cities."

- Gardiner, Brian. 1997. "Squatters' Rights and Adverse Possession: A Search for Equitable Application of Property Laws." *Indiana International & Comparative Law Review* 8(1):119–57.
- Gieryn, Thomas F. 2000. "A Space for Place in Sociology." *Annual Review of Sociology* 26(1):463–96. Retrieved October 22, 2010 (<http://arjournals.annualreviews.org/doi/abs/10.1146/annurev.soc.26.1.463>).
- Gilliom, John. 2001. *Overseers of the Poor: Surveillance, Resistance, and the Limits of Privacy*. Chicago: University of Chicago Press.
- Goetz, Edward G., and Mara Sidney. 1994. "Revenge Of The Property Owners: Community Development and the Politics of Property." *Journal of Urban Affairs* 16(4):319–34. Retrieved (<http://doi.wiley.com/10.1111/j.1467-9906.1994.tb00333.x>).
- Goffman, Alice. 2009. "On the Run: Wanted Men in a Philadelphia Ghetto." *American Sociological Review* 74(3):339–57. Retrieved December 17, 2014 (<http://asr.sagepub.com/content/74/3/339.short>).
- Gowan, Teresa. 1997. "American Untouchables: Homeless Scavengers in San Francisco's Underground Economy." *International Journal of Sociology and Social Policy* 17(3/4):159–90. Retrieved (<http://www.emeraldinsight.com/10.1108/eb013304>).
- Green, Richard K., and Michelle J. White. 1997. "Measuring the Benefits of Homeowning: Effects on Children." *Journal of Urban Economics* 41:441–61.
- Greenhouse, Carol J. 1989. "Just in Time: Temporality and the Cultural Legitimation of Law." *Yale Law Journal* 98(8):1631.
- Greenhouse, Carol J. 1996. *A Moment's Notice: Time Politics Across Cultures*. Cornell University Press.
- Hackworth, Jason. 2014. "The Limits to Market-Based Strategies for Addressing Land Abandonment in Shrinking American Cities." *Progress in Planning* 90:1–37. Retrieved May 25, 2015 (<http://www.sciencedirect.com/science/article/pii/S0305900614000191>).
- Hackworth, Jason, and Kelsey Nowakowski. 2015. "Using Market-Based Policies to Address Market Collapse in the American Rust Belt: The Case of Land Abandonment in Toledo, Ohio." *Urban Geography* 36(4):528–49. Retrieved June 23, 2015 (<http://www-tandfonline-com.proxy.lib.umich.edu/doi/abs/10.1080/02723638.2015.1011416>).
- Hardin, Garrett. 1968. "The Tragedy of the Commons." *Science* 62(3859):1243–48.
- Harkness, Joseph, and Sandra J. Newman. 2002. "Homeownership for the Poor in Distressed Neighborhoods: Does This Make Sense?" *Housing Policy Debate*.

- Harvey, David. 1973. *Social Justice and the City*. Athens: University of Georgia Press.
- Harvey, David. 1989. "From Managerialism to Entrepreneurialism: The Transformation in Urban Governance in Late Capitalism." *Geografiska Annaler. Series B, Human Geography* 71(1):3–17. Retrieved April 12, 2016 (http://www.jstor.org.proxy.lib.umich.edu/stable/490503?seq=1#page_scan_tab_contents).
- Harvey, David. 2003. *The New Imperialism*. Oxford: Oxford University Press.
- Haurin, Donald R., Robert D. Dietz, and B. A. Weinberg. 2013. "The Impact of Neighborhood Homeownership Rates: A Review of the Theoretical and Empirical Literature." *Housing Policy Debate* 13(2):119–51.
- Heidegger, Martin. 1962. *Being and Time*.
- Heise, Kurt. 2014. *Public Acts 223-225*. Retrieved (<http://www.legislature.mi.gov/documents/2013-2014/billanalysis/house/pdf/2013-HLA-5069-56CE1BB5.PDF>).
- Heller, M. A. 1998. "The Tragedy of the Anticommons: Property in the Transition from Marx to Markets." *Harvard Law Review* 11(3):621–88.
- Herscher, Andrew. 2012. *The Unreal Estate Guide to Detroit*. Ann Arbor: University of Michigan Press.
- Hirsch, Eric. 2010. "Property and Persons: New Forms and Contests in the Era of Neoliberalism." *Annual Review of Anthropology* 39:347–60.
- Hwang, Jackelyn, and Robert J. Sampson. 2014. "Divergent Pathways of Gentrification: Racial Inequality and the Social Order of Renewal in Chicago Neighborhoods." *American Sociological Review* 79(4):726–51. Retrieved (10.1177/0003122414535774\http://search.ebscohost.com/login.aspx?direct=true&db=sih&AN=97931843&site=ehost-live&scope=site).
- Immergluck, D. 2011. "The Local Wreckage of Global Capital." *International Journal of Urban and Regional Research* 35:130–46.
- Iparraguirre, Gonzalo. 2015. "Time, Temporality and Cultural Rhythmics: An Anthropological Case Study." *Time & Society* 1–21. Retrieved (<http://tas.sagepub.com/cgi/doi/10.1177/0961463X15579802>).
- Jianakoplos, Nancy A., and Paul L. Menchik. 1997. "Wealth Mobility." *The Review of Economics and Statistics* 79(1):18–31.
- Kant, Immanuel. 1998. *Critique of Pure Reason*.

- Kearns, Kevin C. 1979. "Intraurban Squatting in London*." *Annals of the Association of American Geographers* 69(4):589–98.
- Keister, Lisa A. 2000. *Wealth in America: Trends in Wealth Inequality*. Cambridge: Cambridge University Press.
- Keister, Lisa A., and Stephanie Moller. 2000. "Wealth Inequality in the United States." *Annual Review of Sociology* 26:63–81. Retrieved December 11, 2011 (<http://www.jstor.org/stable/10.2307/223437>).
- Kinder, Kimberley. 2014. "Guerrilla-Style Defensive Architecture in Detroit: A Self-Provisioned Security Strategy in a Neoliberal Space of Disinvestment." *International Journal of Urban and Regional Research* 38(5):1767–84. Retrieved July 2, 2014 (<http://doi.wiley.com/10.1111/1468-2427.12158>).
- Krivo, Lauren J., Ruth D. Peterson, Helen Rizzo, and John R. Reynolds. 1998. "Race, Segregation, and the Concentration of Disadvantage: 1980-1990." *Social Problems* 45. Retrieved March 23, 2016 (<http://heinonline.org/HOL/Page?handle=hein.journals/socprob45&id=79&div=11&collection=journals>).
- Kuyucu, Tuna. 2014. "Law, Property and Ambiguity: The Uses and Abuses of Legal Ambiguity in Remaking Istanbul's Informal Settlements." *International Journal of Urban and Regional Research* 38(2):609–27.
- Larson, Jane E. 2002. "Informality , Illegality , and Inequality." *Yale Law and Policy Review* 20(1):137–82.
- Lazar, Sian. 2014. "Historical Narrative, Mundane Political Time, and Revolutionary Moments: Coexisting Temporalities in the Lived Experience of Social Movements." *Journal of the Royal Anthropological Institute* 20:91–108. Retrieved (<http://dx.doi.org/10.1111/1467-9655.12095>).
- Lefebvre, Henri. 1996. *Writings on Cities*. Wiley-Blackwell. Retrieved (<http://www.amazon.com/dp/0631191887>).
- Levine, Kay, and Virginia Mellema. 2001. "Strategizing the Street : How Law Matters in the Lives of Women in the Street-Level Drug Economy." *Law & Social Inquiry* (May 2000):169–207. Retrieved February 17, 2012 (<http://onlinelibrary.wiley.com/doi/10.1111/j.1747-4469.2001.tb00175.x/abstract>).
- Levitsky, Sandra R. 2008. "'What Rights?' The Construction of Political Claims to American Health Care Entitlements." *Law & Society Review* 42(3):551–90. Retrieved (<http://doi.wiley.com/10.1111/j.1540-5893.2008.00351.x>).
- Libecap, G. D. 1989. *Contracting for Property Rights*. New York: Cambridge University Press.

- Lincoln Institute of Land Policy and Minnesota Taxpayers Association. 2012. *50-State Property Tax Comparison Study*. Minneapolis. Retrieved (<http://www.lincolninst.edu>).
- Logan, John R., and Harvey Molotch. 1987. *Urban Fortunes: The Political Economy of Place*. Berkeley and Los Angeles: University of California Press. Retrieved June 30, 2015 (<http://www.amazon.com/Urban-Fortunes-Political-Economy-Place/dp/0520254287>).
- López, Miguel a Martínez. 2013. "The Squatters' Movement in Europe: A Durable Struggle for Social Autonomy in Urban Politics." *Antipode* 45(4):866–87.
- Lugones, María. 2003. "Tactical Strategies of the Streetwalker." Pp. 207–37 in *Pilgrimages / Peregrinaciones: Theorizing Coalition against Multiple Oppressions*.
- Lukács, Georg. 1971. *History and Class Consciousness*.
- Mallach, Alan. 2014. "Lessons From Las Vegas: Housing Markets, Neighborhoods, and Distressed Single-Family Property Investors." *Housing Policy Debate* Forthcomin(July 2015):1–33. Retrieved (<http://www.tandfonline.com/doi/abs/10.1080/10511482.2013.872160>).
- Martinez-Fernandez, Cristina, Chung Tong Wu, Laura K. Schatz, Nobuhisa Taira, and José G. Vargas-Hernández. 2012. "The Shrinking Mining City: Urban Dynamics and Contested Territory." *International Journal of Urban and Regional Research* 36(2):245–60.
- Marx, Karl. 1970. *Critique of Hegel's "Philosophy of Right"*. Cambridge: Cambridge University Press.
- Marx, Karl. 1990. *Capital, Volume 1*. edited by Ben Fowkes. London: Penguin Books.
- Marx, Karl. 1995. *The Poverty of Philosophy*. edited by H. Quelch. Amherst, NY: Prometheus. Retrieved June 1, 2016 (https://www.amazon.com/Poverty-Philosophy-Karl-Marx/dp/0717807010?ie=UTF8&*Version*=1&*entries*=0#reader_0717807010).
- Massey, Douglas S., and Nancy A. C. N. 305. 89607. 20 Denton. 1993. *American Apartheid: Segregation and the Making of the Underclass*. Harvard University Press. Retrieved (<http://www.amazon.com/dp/0674018214>).
- Matsuda, Mari J. 1987. "Looking to the Bottom: Critical Legal Studies and Reparations." *Harvard Civil Rights-Civil Liberties Law Review* 22:323–99.
- McCabe, Brian J. 2013. "Are Homeowners Better Citizens?: Homeownership and Community Participation in the United States." *Social Forces* 91(3):929–54. Retrieved July 19, 2015 (http://muse.jhu.edu.proxy.lib.umich.edu/journals/social_forces/v091/91.3.mccabe.html).

- McCann, Michael. 2006. "On Legal Rights Consciousness: A Challenging Analytical Tradition." in *The New Civil Rights Research: A Constitutive Approach*, edited by Benjamin Fleury-Steiner and Laura Beth Nielsen.
- Merrill, Thomas W. 1998. "Property and the Right to Exclude." *Nebraska Law Review* 77:730–54.
- Mezey, Naomi. 2001. "Out of the Ordinary: Law, Power, Culture, and the Commonplace." *Law & Social Inquiry* 26(1):145–67. Retrieved February 17, 2012 (<http://onlinelibrary.wiley.com/doi/10.1111/j.1747-4469.2001.tb00174.x/abstract>).
- Millington, Nate. 2013. "Post-Industrial Imaginaries: Nature, Representation and Ruin in Detroit, Michigan." *International Journal of Urban and Regional Research* 37(1):279–96. Retrieved March 10, 2015 (<http://doi.wiley.com/10.1111/j.1468-2427.2012.01206.x>).
- Molotch, Harvey. 1976. "The City as a Growth Machine: Toward a Political Economy of Place." *American Journal of Sociology* 82(2):309–32.
- Molotch, Harvey L., and John R. Logan. 1990. "The Space for Urban Action." *Political Geography Quarterly* 9(January):85–92.
- Mukhija, Vinit. 2005. "Collective Action and Property Rights : A Planner ' S Critical Look at the Dogma of Private Property." *International Journal of Urban and Regional Research* 29(December):972–83.
- Munn, Nancy D. 1992. "THE CULTURAL ANTHROPOLOGY OF TIME: A CRITICAL ESSAY." *Annu. Rev. Anthropol* 21:93–123.
- Muxlow, Tlaib, Pagel, Victory, Lauwers, Zemke, Faris, Brown, Callton, Price, Zorn, MacGregor, Hobbs, Switalski, Talabi, Kandrevas and Roberts. 2008. *Scrap Metal Regulatory Act*.
- Nielsen, Laura Beth. 2000. "Situating Legal Consciousness: Experiences and Attitudes of Ordinary Citizens about Law and Street Harassment." *Law & Society Review* 34(4):1055–90.
- North, D. C., and R. P. Thomas. 1973. *The Rise of the Western World: A New Economic History*. Cambridge: Cambridge University Press.
- Orr, Kevyn. 2013. *City of Detroit Proposal for Creditors*. Detroit.
- Paiva, Daniel, Herculano Cachinho, and Teresa Barata-Salgueiro. 2015. "The Pace of Life and Temporal Resources in a Neighborhood of an Edge City." *Time & Society* 1–24. Retrieved (<http://tas.sagepub.com/cgi/doi/10.1177/0961463X15596704>).

- Pallagst, Karina. 2008. "Planning Challenges from an International Perspective." Pp. 7–16 in *Cities Growing Smaller*. Kent State University Press.
- Pallagst, Karina M., Terry Schwarz, Frank J. Popper, and Justin B. Hollander. 2009. "Planning Shrinking Cities." *Progress in Planning* 72(4):223–32.
- Park, Robert E., Ernest W. Burgess, and Roderick D. McKenzie. 1925. *The City*. Chicago: University of Chicago Press.
- Parry, Bronwyn. 2004. "Bodily Transactions: Regulating a New Space of Flows in 'Bio-Information.'" in *Property in question: value transformation in the global economy*, edited by Katherine Verdery and Caroline Humphrey. Oxford: Berg Publishers.
- Pattillo, Mary. 2013. "Housing: Commodity versus Right." *Annual Review of Sociology* 39(1):509–31. Retrieved April 13, 2014 (<http://www.annualreviews.org/doi/abs/10.1146/annurev-soc-071312-145611>).
- Piliavin, Irving, Bradley R. Entner Wright, Robert D. Mare, and Alex H. Westerfelt. 1996. "Exits from and Returns to Homelessness." *The Social Service Review* 70(1):33–57. Retrieved (<http://www.jstor.org/stable/30012589>).
- Portes, Alejandro, Manuel Castells, and Lauren A. Benton. 1989. "World Underneath: The Origins, Dynamics and Effects of the Informal Economy." in *The Informal Economy: Studies in Advanced and Less Developed Countries*. Baltimore: The Johns Hopkins University Press. Retrieved (<http://www.amazon.com/dp/0801837367>).
- Pruijt, Hans. 2003. "Is the Institutionalization of Urban Movements Inevitable? A Comparison of the Opportunities for Sustained Squatting in New York City and Amsterdam." *International Journal of Urban and Regional Research* 27(1):133–57. Retrieved (<http://doi.wiley.com/10.1111/1468-2427.00436>).
- Pruijt, Hans. 2013. "The Logic of Urban Squatting." *International Journal of Urban and Regional Research* 37(1):19–45. Retrieved May 27, 2016 (<http://doi.wiley.com/10.1111/j.1468-2427.2012.01116.x>).
- Quillian, Lincoln, and Devah Pager. 2001. "Black Neighbors, Higher Crime? The Role of Racial Stereotypes in Evaluations of Neighborhood Crime." *American Journal of Sociology* 107(3):717–67.
- Rohe, William M., and Leslie S. Stewart. 1996. "Homeownership and Neighborhood Stability." *Housing Policy Debate* 7(1):37–81.
- Rollwagen, Heather. 2014. "Constructing Renters as a Threat to Neighbourhood Safety." *Housing Studies* 1–21. Retrieved March 9, 2015 (<http://www.tandfonline.com.proxy.lib.umich.edu/doi/full/10.1080/02673037.2014.925099#abstract>).

- Rose, Carol M. 1994. *Property and Persuasion : Essays on the History, Theory, and Rhetoric of Ownership*.
- Rose, Carol M. 2009. "Liberty, Property, Environmentalism." *Social Philosophy and Policy* 26(2):1–25.
- Rossi, Peter H., and Eleanor Weber. 1996. "The Social Benefits of Homeownership: Empirical Evidence from National Surveys." *Housing Policy Debate* 7(1):1–35. Retrieved July 19, 2015 (<http://www-tandfonline-com.proxy.lib.umich.edu/doi/pdf/10.1080/10511482.1996.9521212>).
- Roy, Ananya. 2005. "Urban Informality: Toward an Epistemology of Planning." *Journal of the American Planning Association* 71(2):147–58.
- Salins, Peter D. 1980. *The Ecology of Housing Destruction: Economic Effects of Public Intervention in the Housing Market*. New York: New York University Press.
- Sampson, Robert. 1991. "Linking the Micro- and Macrolevel Dimensions of Community Social Organization." *Social Forces* 70:43–64.
- Sampson, Robert J., and Stephen W. Raudenbush. 1999. "Systematic Social Observation of Public Spaces: A New Look at Disorder in Urban Neighborhoods." *American Journal of Sociology* 105(3):603–51. Retrieved January 12, 2015 (<http://www.jstor.org.proxy.lib.umich.edu/stable/10.1086/210356>).
- Sampson, Robert J., and Stephen W. Raudenbush. 2004. "Seeing Disorder: Neighborhood Stigma and the Social Construction of 'Broken Windows.'" *Social Psychology Quarterly* 67(4):319–42.
- Sarat, Austin. 1990. "'...The Law Is All Over': Power, Resistance and the Legal Consciousness of the Welfare Poor." *Yale JL & Human.* 343–80. Retrieved December 21, 2012 (http://heinonlinebackup.com/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/yallh2§ion=28).
- Sarat, Austin, and Thomas R. Kearns, eds. 1995. *Law in Everyday Life*. Ann Arbor: University of Michigan Press. Retrieved May 27, 2016 (<https://muse.jhu.edu/book/6331>).
- Scott, William B. 1977. *In Pursuit of Happiness: American Conceptions of Property from the Seventeenth to the Twentieth Century*. Bloomington and London: Indiana University Press.
- Sened, I. 1997. *The Political Institution of Private Property*. Cambridge: Cambridge University Press.
- Shlay, Anne. 2006. "Low-Income Homeownership: American Dream or Delusion?" *Urban Studies* 43(3):511–31.

- Silbey, Susan S. 2005. "After Legal Consciousness." *Annual Review of Law and Social Science* 1(1):323–68. Retrieved September 26, 2011 (<http://www.annualreviews.org/doi/abs/10.1146/annurev.lawsocsci.1.041604.115938>).
- Sorensen, A. B. 2000. "Toward a Sounder Basis for Class Analysis." *American Journal of Sociology* 105:1523–28.
- Sorokin, Pitirim A., and Robert K. Merton. 1937. "Social Time: A Methodological and Functional Analysis." *American Journal of Sociology* 42(5):615–29. Retrieved February 17, 2016 (http://www.jstor.org.proxy.lib.umich.edu/stable/2767758?seq=1#page_scan_tab_contents).
- Steinmetz, George. 2008. "Harrowed Landscapes: White Ruingazers in Namibia and Detroit and the Cultivation of Memory." *Visual Studies* 23(3):211–37.
- Steinmetz, George. 2009. "Detroit: A Tale of Two Crises." *Environment and Planning D: Society and Space* 27(5):761–70. Retrieved March 3, 2011 (<http://www.envplan.com/abstract.cgi?id=d2705ed>).
- Sternlieb, George, and Robert W. Burchell. 1973. *Residential Abandonment: The Tenement Landlord Revisited*. New Brunswick, NJ: Center for Urban Policy Research.
- Stuart, G. 2003. *Discriminating Risk: The U.S. Mortgage Lending Industry in the Twentieth Century*. Ithaca, NY: Cornell University Press.
- Sugrue, Thomas. 1996. *The Origins of the Urban Crisis: Race and Inequality in Post-War Detroit*. Princeton: Princeton University Press.
- Sullivan, Esther, and Carlos Olmedo. 2015. "Informality on the Urban Periphery: Housing Conditions and Self-Help Strategies in Texas Informal Subdivisions." *Urban Studies* 52(6):1037–53. Retrieved April 17, 2016 (<http://usj.sagepub.com.proxy.lib.umich.edu/content/52/6/1037.full#ref-4>).
- Talen, Emily. 2015. "Do-It-Yourself Urbanism: A History." *Journal of Planning History* 14(2):135–48. Retrieved (<http://jph.sagepub.com/cgi/doi/10.1177/1538513214549325>).
- Taub, Richard P., Garth Taylor, and Jan D. Dunham. 1984. *Paths of Neighborhood Change: Race and Crime in Urban America*. Chicago: University of Chigaco Press.
- Valverde, Mariana. 2012. *Everyday Law on the Street: City Governance in an Age of Diversity*. Chicago: University of Chigaco Press.
- Valverde, Mariana. 2014. "Time Thickens, Takes on Flesh: Spatiotemporal Dynamics in

- Law." Pp. 53–76 in *Expanding Spaces of Law : A Timely Legal Geography.*, edited by Irus Braverman, Nicholas Blomley, David Delaney, and Alexandre Kedar.
- Venkatesh, Sudir A. 2006. *Off the Books: The Underground Economy of the Urban Poor.* Cambridge: Harvard University Press.
- Webb, J. W., L. Tihanyi, R. D. Ireland, and D. G. Sirmon. 2009. "You Say Illegal, I Say Legitimate: Entrepreneurship in the Informal Economy." *Academy of Management Review* 34(3):492–510. Retrieved (<http://www.scopus.com/inward/record.url?eid=2-s2.0-67249114705&partnerID=40&md5=855cd0638d0df5694c7169ff6db4816c>).
- White, M. J. 1986. "Property Taxes and Urban Housing Abandonment." *Journal of Urban Economics* 20:213–330.
- Wiechmann, Thorsten, and Marco Bontje. 2015. "Responding to Tough Times: Policy and Planning Strategies in Shrinking Cities." *European Planning Studies* 23(1):1–11. Retrieved (<http://www.tandfonline.com/doi/abs/10.1080/09654313.2013.820077>).
- Wiechmann, Thorsten, and Karina M. Pallagst. 2012. "Urban Shrinkage in Germany and the USA: A Comparison of Transformation Patterns and Local Strategies." *International Journal of Urban and Regional Research* 36(2):261–80.
- Williams, Joan C. 1991. "Dissolving the Sameness/Difference Debate: A Post-Modern Path Beyond Essentialism in Feminist and Critical Race Theory." *Duke Law Journal* 1991(296):296–323.
- Wilson, James Q. 1985. *Thinking about Crime.* New York: Vintage.
- Wilson, James Q., and George L. Kelling. 1982. "Broken Windows: The Police and Neighborhood Safety." *The Atlantic*, March.
- Wilson, W. J. 1987. *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy.* University Of Chicago Press. Retrieved April 6, 2011 (http://books.google.com/books?hl=en&lr=&id=Yl0bDTpro1AC&oi=fnd&pg=PA261&dq=The+Truly+Disadvantaged:+The+Inner+City,+the+Underclass,+and+Public+Policy&ots=CP6wWr9dyz&sig=DxTK5DmwOhM1xK_DM AuNDPyE4M4).
- Wong, Yin-Ling Irene, Dennis P. Culhane, and Randall Kuhn. 1997. "Predictors of Exit and Reentry among Family Shelter Users in New York City." *The Social Service Review* 71(3):441–62. Retrieved (<http://www.jstor.org/stable/30012627>).
- Wright, Erik Olin. 2002. "The Shadow of Exploitation in Weber's Class Analysis." *American Sociological Review* 67(832-853).
- Zukin, Sharon. 1987. "Gentrification: Culture and Capital in the Urban Core." *Annual Review*

of Sociology 13(1):129–47. Retrieved
(<http://www.annualreviews.org/doi/abs/10.1146/annurev.so.13.080187.001021>).